

1 AN ACT in relation to gambling.

2 Be it enacted by the People of the State of Illinois,  
3 represented in the General Assembly:

4 Section 1. Short title. This Act may be cited as the  
5 Illinois Gambling Board Act.

6 Section 5. Definitions. For the purposes of this Act,  
7 unless the context otherwise requires:

8 "Acts administered by the Board" means:

- 9 (1) The Illinois Gambling Board Act;
- 10 (2) The Illinois Horse Racing Act of 1975; and
- 11 (3) The Riverboat Gambling Act.

12 "Board" means the Illinois Gambling Board.

13 "Department" means the Illinois Department of Revenue.

14 Section 10. Dissolution of Illinois Racing Board and  
15 Illinois Gaming Board. The Illinois Racing Board and the  
16 Illinois Gaming Board shall each remain in existence until  
17 the close of business on the effective date of this Act. At  
18 the close of business on the effective date of this Act, the  
19 Illinois Racing Board and the Illinois Gaming Board shall  
20 each be dissolved and all of their powers, duties, rights,  
21 and responsibilities under the Illinois Horse Racing Act of  
22 1975 and under the Riverboat Gambling Act and all liabilities  
23 arising therefrom are transferred to the Illinois Gambling  
24 Board. At the close of business on the effective date of  
25 this Act, all of the powers, duties, rights, and  
26 responsibilities of the Department of Revenue under the  
27 Riverboat Gambling Act and all liabilities arising therefrom  
28 are transferred to the Illinois Gambling Board. The terms of  
29 all members of the Illinois Racing Board and of all members  
30 of the Illinois Gaming Board shall end at the close of

1 business on the effective date of this Act. For purposes of  
2 the Successor Agency Act, the Illinois Gambling Board shall  
3 be the successor to the Illinois Racing Board, the Illinois  
4 Gaming Board, and, to the extent specified in this Act, the  
5 Illinois Department of Revenue.

6 Section 15. Transfer of personnel. Personnel employed by  
7 (i) the Illinois Racing Board, (ii) the Illinois Gaming  
8 Board, or (iii) the Illinois Department of Revenue under  
9 Section 5(a)(8) of the Riverboat Gambling Act are transferred  
10 to the Illinois Gambling Board immediately after the close of  
11 business on the effective date of this Act. The rights of  
12 those employees, the State, and its agencies under the  
13 Personnel Code and applicable collective bargaining  
14 agreements and retirement plans are not affected by this Act.

15 Section 20. Transfer of property. All books, records,  
16 papers, documents, property (real and personal), contracts,  
17 unexpended appropriations, and pending business pertaining to  
18 the powers, duties, rights, and responsibilities transferred  
19 by this Act from the Illinois Racing Board, the Illinois  
20 Gaming Board, and the Illinois Department of Revenue to the  
21 Illinois Gambling Board, including but not limited to  
22 material in electronic or magnetic format and necessary  
23 computer hardware and software, shall be delivered and  
24 transferred to the Board effective at the close of business  
25 on the effective date of this Act and may be used by the  
26 Board thereafter.

27 Section 25. Transfer of powers.

28 (a) The powers, duties, rights, and responsibilities  
29 transferred to the Board pursuant to this Act shall be vested  
30 in and shall be exercised by the Board. Each act done in the  
31 exercise of those powers, duties, rights, and

1 responsibilities shall have the same legal effect as if done  
2 by the Illinois Racing Board, the Illinois Gaming Board, or  
3 the Illinois Department of Revenue.

4 (b) Every person or other entity shall be subject to the  
5 same obligations and duties, and any penalties, civil or  
6 criminal, arising therefrom, and shall have the same rights  
7 arising from the exercise of those powers, duties, rights,  
8 and responsibilities as if those powers, duties, rights, and  
9 responsibilities had been exercised by the Illinois Racing  
10 Board, the Illinois Gaming Board, or the Illinois Department  
11 of Revenue.

12 Section 30. Rules. Rules adopted by the Illinois Racing  
13 Board, the Illinois Gaming Board, or the Illinois Department  
14 of Revenue that are in effect on the effective date of this  
15 Act and pertain to the powers, duties, rights, and  
16 responsibilities transferred to the Board under this Act  
17 shall become rules of the Board at the close of business on  
18 the effective date of this Act and shall continue in effect  
19 until amended or repealed by the Board.

20 Any rules pertaining to the powers, duties, rights, and  
21 responsibilities transferred to the Board under this Act that  
22 have been proposed by the Illinois Racing Board, the Illinois  
23 Gaming Board, or the Illinois Department of Revenue but have  
24 not taken effect or been finally adopted by the close of  
25 business on the effective date of this Act shall become  
26 proposed rules of the Board on the effective date of this Act  
27 and any rulemaking procedures that have already been  
28 completed by the Illinois Racing Board, the Illinois Gaming  
29 Board, or the Illinois Department of Revenue for those  
30 proposed rules need not be repeated.

31 As soon as practical after the effective date of this  
32 Act, the Board shall revise and clarify the rules transferred  
33 to it under this Act to reflect the reorganization of powers,

1 duties, rights, and responsibilities effected by this Act  
2 using the procedures for recodification of rules available  
3 under the Illinois Administrative Procedure Act, except that  
4 existing title, part, and Section numbering for the affected  
5 rules may be retained. The Board may propose and adopt under  
6 the Illinois Administrative Procedure Act such other rules as  
7 may be necessary to consolidate and clarify the rules of the  
8 Boards reorganized under this Act.

9 Section 35. Service. Whenever reports or notices are now  
10 required to be made or given or papers or documents furnished  
11 or served by any person to or upon the Illinois Racing Board,  
12 the Illinois Gaming Board, or the Illinois Department of  
13 Revenue in connection with any of the functions transferred  
14 pursuant to this Act, the same shall be made, given,  
15 furnished, or served in the same manner to or upon the  
16 Illinois Gambling Board.

17 Section 40. Prior actions. This Act does not affect any  
18 act done, ratified, or cancelled, any right occurring or  
19 established, or any action or proceeding had or commenced in  
20 an administrative, civil, or criminal cause before this  
21 Section takes effect, but such actions or proceedings may be  
22 prosecuted and continued by the Board.

23 Section 45. Savings provisions. The powers, duties,  
24 rights, and responsibilities transferred to the Board by this  
25 Act shall be vested in and exercised by the Board subject to  
26 the provisions of this Act. An act done by the Board or an  
27 employee or agent of the Board in the exercise of the  
28 transferred powers, duties, rights, and responsibilities  
29 shall have the same legal effect as if done by the Illinois  
30 Racing Board, the Illinois Gaming Board, the Illinois  
31 Department of Revenue, or an employee or agent of either of

1 those boards or that Department as predecessor to the  
2 Illinois Gambling Board.

3 The transfer of powers, duties, rights, and  
4 responsibilities to the Illinois Gambling Board under this  
5 Act does not invalidate any previous action taken by the  
6 Illinois Racing Board, the Illinois Gaming Board, the  
7 Department, or any of their employees or agents. References  
8 to the Illinois Racing Board, the Illinois Gaming Board, the  
9 Department, or any of their employees or agents in any  
10 document, contract, agreement, or law shall, in appropriate  
11 contexts, be deemed to refer to the Illinois Gambling Board  
12 or its employees or agents.

13 The transfer of powers, duties, rights, and  
14 responsibilities to the Board under this Act does not affect  
15 any person's rights, obligations, or duties, including any  
16 civil or criminal penalties applicable thereto, arising out  
17 of those transferred powers, duties, rights, and  
18 responsibilities.

19 Section 50. Severability. If any provision of this Act  
20 or its application to any person or circumstance is held  
21 invalid by any court of competent jurisdiction, this  
22 invalidity does not affect any other provision or application  
23 of this Act that can be given effect without the invalid  
24 provision or application. To achieve this purpose, the  
25 provisions of this Act are declared to be severable.

26 Section 55. Creation of Board.

27 (a) There is hereby created the Illinois Gambling Board,  
28 which shall have the powers and duties specified in this Act,  
29 the Illinois Horse Racing Act of 1975, and the Riverboat  
30 Gambling Act and also the powers necessary and proper to  
31 enable it to fully and effectively execute all of the  
32 provisions and purposes of this Act. The jurisdiction,

1 supervision, powers, and duties of the Board shall extend  
2 under this Act to every person who holds or conducts any  
3 meeting where horse racing is conducted pursuant to the  
4 Illinois Horse Racing Act of 1975 and to any person who  
5 conducts riverboat gambling operations under the Riverboat  
6 Gambling Act.

7 (b) The Illinois Gambling Board shall consist of 9  
8 members appointed by the Governor with the advice and consent  
9 of the Senate, no more than 5 of whom shall be of the same  
10 political party, and one of whom shall be designated by the  
11 Governor as the chairman. Each member, at the time of  
12 appointment, shall be a resident of Illinois and shall have  
13 resided in Illinois for a period of at least 5 years next  
14 preceding appointment and qualification and shall be a  
15 qualified voter in Illinois and be at least 25 years of age.

16 (c) The terms of office for members of the Board shall  
17 be as follows: 3 members for terms expiring on January 1,  
18 2004, 3 members for terms expiring January 1, 2006, and 3  
19 members for terms expiring on January 1, 2008. Thereafter  
20 the terms of office of the Board members shall be 6 years.  
21 Members shall continue to serve until their successors are  
22 appointed and have qualified. A vacancy in the Board shall  
23 be filled for the unexpired portion of the term in the same  
24 manner as an original appointment. Each member of the Board  
25 shall be eligible for reappointment at the discretion of the  
26 Governor, with the advice and consent of the Senate.

27 (d) Each member of the Board shall receive \$300 per day  
28 for each day the Board meets and for each day the member  
29 conducts a hearing pursuant to the Illinois Horse Racing Act  
30 of 1975. Members of the Board shall also be reimbursed for  
31 all actual and necessary expenses and disbursements incurred  
32 in the execution of their official duties.

33 (e) No person shall be appointed to be a member of the  
34 Board or continue to be a member of the Board who is, or

1 whose spouse, child, or parent is, a member of the board of  
2 directors of, or a person financially interested in, any  
3 gambling operation subject to the jurisdiction of the Board.  
4 No person shall be appointed a member of the Board or  
5 continue as a member of the Board who is, or whose spouse,  
6 child, or parent is, a member of the board of directors of,  
7 or who is a person financially interested in, any licensee  
8 under the Illinois Horse Racing Act of 1975 or other person  
9 who has applied for racing dates to the Board under that Act,  
10 or the operations thereof, including, but not limited to,  
11 concessions, data processing, track maintenance, track  
12 security, and pari-mutuel operations, located, scheduled or  
13 doing business within Illinois, or in any race horse  
14 competing at a meeting under the Board's jurisdiction. No  
15 person shall be appointed to the Board or continue as a  
16 member of the Board who is, or whose spouse, child, or parent  
17 is, financially interested in any race track, race meeting,  
18 racing association, or the operations thereof under the  
19 Illinois Horse Racing Act of 1975. No Board member shall  
20 hold any other public office for which he or she receives  
21 compensation other than necessary travel or other incidental  
22 expenses. No person shall be a member of the Board who is  
23 not of good moral character or who has been convicted of, or  
24 is under indictment for, a felony under the laws of Illinois,  
25 any other state, or the United States.

26 (f) Any member of the Board may be removed by the  
27 Governor for neglect of duty, misfeasance, malfeasance, or  
28 nonfeasance in office.

29 (g) Before entering into the discharge of the duties of  
30 his or her office, each member of the Board shall take an  
31 oath that he or she will faithfully execute the duties of his  
32 or her office according to the laws of this State and the  
33 rules adopted thereunder and shall give bond to the State of  
34 Illinois, approved by the Governor, in the sum of \$25,000.

1 Every such bond, when duly executed and approved, shall be  
2 recorded in the office of the Secretary of State. Whenever  
3 the Governor determines that the bond of any member of the  
4 Board has become or is likely to become invalid or  
5 insufficient, the Governor shall require that member  
6 forthwith to renew his or her bond. Any member of the Board  
7 who fails to take oath and give bond within 30 days from the  
8 date of his or her appointment, or who fails to renew his or  
9 her bond within 30 days after it is demanded by the Governor,  
10 shall be guilty of neglect of duty and may be removed by the  
11 Governor. The cost of any bond given by any member of the  
12 Board under this Section shall be taken to be a part of the  
13 necessary expenses of the Board.

14 (h) Any Board member or Board employee who is subject to  
15 any civil action arising from any act executed by him or her  
16 arising out of service as a Board member or Board employee  
17 shall be represented by the Attorney General. All costs of  
18 defending such a lawsuit and satisfaction of any judgment  
19 rendered against a Board member or Board employee shall be  
20 incurred by the Board. Any Board member or Board employee is  
21 entitled to the benefit of this subsection (h) provided that  
22 the Act was committed in good faith.

23 Section 65. Employment of personnel; prohibitions.

24 (a) Board members shall employ under the Personnel Code,  
25 as now or hereafter amended, such representatives,  
26 accountants, clerks, stenographers, inspectors, and other  
27 employees as may be necessary.

28 (b) No person shall be employed or hold any office or  
29 position under the Board who, or whose spouse, child, or  
30 parent, is:

31 (1) an official of, or has a financial or ownership  
32 interest in, any licensee or occupation licensee under  
33 the Illinois Horse Racing Act of 1975 who is engaged in

1 conducting horse racing in this State;

2 (2) an owner, trainer, jockey, or harness driver of  
3 a horse competing at a race meeting under the  
4 jurisdiction of the Board pursuant to the Illinois Horse  
5 Racing Act of 1975; or

6 (3) an official of, or has a financial interest in  
7 or financial relation with, any operator engaged in  
8 riverboat gambling operations within this State.

9 On or after January 1, 2003, any employee who violates  
10 this subsection shall be subject to the termination of his or  
11 her employment. If the Board determines that an employee is  
12 in violation of this subsection and should be discharged, it  
13 must observe the procedures outlined in the Personnel Code as  
14 they apply to discharge proceedings.

15 Section 70. Board meetings; records; offices.

16 (a) The Board shall hold regular and special meetings at  
17 least once each quarter of the fiscal year and at such  
18 additional times and places as may be necessary to perform  
19 properly and effectively all duties required under the Acts  
20 administered by the Board. Special meetings may be called by  
21 the chairman or by any 2 Board members upon 72 hours written  
22 notice to each member. All Board meetings shall be subject  
23 to the Open Meetings Act.

24 A majority of the members of the Board shall constitute a  
25 quorum for the transaction of any business, for the  
26 performance of any duty, and for the exercise of any power  
27 that any Act administered by the Board requires the Board  
28 members to transact, perform, or exercise en banc, except  
29 that on order of the Board, one of the Board members may  
30 conduct the hearing required in Section 16 of the Illinois  
31 Horse Racing Act of 1975. A Board member conducting such a  
32 hearing shall have all powers and rights granted to the Board  
33 in this Act. The record made at the hearing shall be

1 reviewed by the Board, or a majority thereof, and the  
2 findings and decision of the majority of the Board shall  
3 constitute the order of the Board in such a case.

4 (b) The Board shall obtain a court reporter who shall be  
5 present at each regular and special meeting and proceeding  
6 and who shall make accurate transcriptions thereof, except  
7 that when in the judgment of the Board an emergency situation  
8 requires a meeting by teleconference, the executive director  
9 shall prepare the minutes of the meeting indicating the date  
10 and time of the meeting and which members of the Board were  
11 present or absent, summarizing all matters proposed,  
12 deliberated on, or decided at the meeting, and indicating the  
13 results of all votes taken. The public shall be allowed to  
14 listen to the proceedings of that meeting at all Board branch  
15 offices.

16 (c) The Board shall provide records that are separate  
17 and distinct from the records of any other State board or  
18 commission. These records shall be available for public  
19 inspection and shall accurately reflect all Board  
20 proceedings.

21 (d) The Board shall file a written annual report with  
22 the Governor on or before March 1 of each year and any  
23 additional reports that the Governor may request. The annual  
24 report shall include a statement of receipts and  
25 disbursements by the Board, actions taken by the Board, a  
26 report on the horse racing industry's progress toward the  
27 policy objectives established in Section 1.2 of the Illinois  
28 Horse Racing Act of 1975, and any additional information and  
29 recommendations that the Board may deem valuable or that the  
30 Governor may request.

31 (e) The Board shall maintain a branch office on the  
32 grounds of every organization licensee under the Illinois  
33 Horse Racing Act of 1975 during the organization licensee's  
34 race meeting, which shall be kept open throughout the time

1 the race meeting is held, and at the home dock of each owners  
2 licensee under the Riverboat Gambling Act during the owners  
3 licensee's hours of operation, which shall be kept open while  
4 gambling is being conducted on any riverboat that docks at  
5 that home dock. The Board shall designate one of its  
6 members, or an authorized agent of the Board who shall have  
7 the authority to act for the Board, to be in charge of the  
8 branch office during the time it is required to be kept open.

9 Section 75. Hearing officers. The Board may employ  
10 hearing officers qualified by professional training or  
11 previous experience according to rules established by the  
12 Board. The Board shall also establish rules providing for  
13 the disqualification of hearing officers for bias or conflict  
14 of interest. The hearing officers shall, under the direction  
15 of the Board, take testimony of witnesses, and examine  
16 accounts, records, books, papers, and facilities, either by  
17 holding hearings or making independent investigations, in any  
18 matter referred to them by the Board; and make report thereof  
19 to the Board, and attend at hearings before the Board when so  
20 directed by the Board, for the purpose of explaining their  
21 investigations and the result thereof to the Board and the  
22 parties interested; and perform other duties as the Board may  
23 direct, subject to its orders. The Board may make final  
24 administrative decisions based upon reports presented to it  
25 and investigations and hearings conducted by hearing  
26 officers.

27 Section 80. Powers and duties. The Board shall have all  
28 the powers and duties necessary and proper to effectively  
29 execute the provisions of this Act, the Illinois Horse Racing  
30 Act of 1975, and the Riverboat Gambling Act. These powers  
31 and duties include, but are not limited to, those powers and  
32 duties enumerated in Section 9 of the Illinois Horse Racing

1 Act of 1975 and Section 5 of the Riverboat Gambling Act.

2 Section 85. Executive Director. The Board shall name and  
3 appoint an Executive Director who shall serve at the pleasure  
4 of the Board. The Executive Director shall perform any and  
5 all duties that the Board assigns to him or her. The salary  
6 of the Executive Director shall be determined by the Board  
7 and, in addition, he or she shall be reimbursed for all  
8 actual and necessary expenses incurred by him or her in the  
9 discharge of his or her official duties. The Executive  
10 Director shall keep records of all proceedings of the Board  
11 and shall preserve all records, books, documents, and other  
12 papers belonging to the Board or entrusted to its care. The  
13 Executive Director shall devote his or her full time to the  
14 duties of the office and shall not hold any other office or  
15 employment.

16 Section 800. The State Finance Act is amended by  
17 changing Section 6b-2 as follows:

18 (30 ILCS 105/6b-2) (from Ch. 127, par. 142b2)

19 Sec. 6b-2. The Department of Agriculture is authorized  
20 to establish and maintain a "Working Cash Account" to receive  
21 moneys obtained from the sale of pari-mutuel wagering tickets  
22 and to disburse moneys from such account as provided in this  
23 Section. The Department shall appoint a custodian who will  
24 be responsible for the "Working Cash Account" and who shall  
25 be bonded by a \$100,000 penal bond made payable to the people  
26 of the State of Illinois, and shall establish accounting and  
27 reconciliation procedures to assure the safeguarding of these  
28 moneys.

29 Moneys in the Department of Agriculture's "Working Cash  
30 Account" shall be used only for the purposes of providing  
31 change for ticket windows, paying winning tickets,

1 establishing the winning ticket reserve and purse fund as  
2 required by the "Illinois Gambling Racing Board", paying race  
3 purses, and paying Federal and State taxes in relation  
4 thereto. That portion of the income received not expended  
5 for uses as authorized shall within 10 days after receipt be  
6 paid into the Agricultural Premium Fund.

7 The Governor may request at the recommendation of the  
8 custodian of the "Working Cash Account" an amount of money  
9 not to exceed \$50,000 be transferred from the Agricultural  
10 Premium Fund to the "Working Cash Account", to provide change  
11 for ticket windows, such transfer to be made within 30 days  
12 prior to a racing meet. The custodian shall within 2 working  
13 days after the close of a racing meet transfer the money used  
14 for change back to the Agricultural Premium Fund. The  
15 Department of Agriculture is authorized to pay from the  
16 Agricultural Premium Fund the annual license fee, the daily  
17 race fee, and other expenses such as track security,  
18 stewards, investigators and such other fees as required by  
19 the Illinois Gambling Racing Board connected with the holding  
20 of a racing meet.

21 The Auditor General shall audit or cause to be audited  
22 the above items of income and expenditures.

23 (Source: P.A. 84-1308.)

24 Section 805. The Agricultural Fair Act is amended by  
25 changing Section 18 as follows:

26 (30 ILCS 120/18) (from Ch. 85, par. 668)

27 Sec. 18. Money shall be paid into the Fair and  
28 Exposition Fund by the Illinois Gambling Racing Board, as  
29 provided in Section 28 of the Illinois Horse Racing Act of  
30 1975. The General Assembly shall from time to time make  
31 appropriations payable from such fund to the Department for  
32 distribution to county fairs in counties having a population

1 of less than 600,000 and to any Fair and Exposition Authority  
2 in counties with a population of more than 600,000 but less  
3 than 1,000,000 inhabitants. Such appropriations shall be  
4 distributed by the Department to county fairs which are  
5 eligible to participate in appropriations made from the  
6 Agricultural Premium Fund but which elect instead to  
7 participate in appropriations made from the Fair and  
8 Exposition Fund and to Fair and Exposition Authorities in  
9 counties having a population of more than 600,000 but less  
10 than 1,000,000 inhabitants. If a county has more than one  
11 county fair, such fairs shall jointly elect to participate  
12 either in appropriations made from the Agricultural Premium  
13 Fund or in appropriations made from the Fair and Exposition  
14 Fund. All participating county fairs of the same county shall  
15 participate in the same appropriation. A participant, to be  
16 eligible to receive appropriations from the Fair and  
17 Exposition Fund must hold the land on which such fair or  
18 exposition is to be conducted as a fee or under a lease of at  
19 least 20 years duration, except counties with more than  
20 600,000 but less than 1,000,000 inhabitants where the  
21 participant shall be the Fair and Exposition Authority.  
22 Before receiving a distribution of monies from the fund, the  
23 treasurer or other financial officer of a participant shall  
24 file with the Director a penal bond in an amount equaling the  
25 sums to be distributed, and conditioned upon the lawful  
26 expenditure of the money so distributed. The cost of such  
27 bond may be paid from such money.

28 (Source: P.A. 87-1219.)

29 Section 810. The Joliet Regional Port District Act is  
30 amended by changing Section 5.1 as follows:

31 (70 ILCS 1825/5.1) (from Ch. 19, par. 255.1)

32 Sec. 5.1. Riverboat gambling. Notwithstanding any other

1 provision of this Act, the District may not regulate the  
 2 operation, conduct, or navigation of any riverboat gambling  
 3 casino licensed under the Riverboat Gambling Act, and the  
 4 District may not license, tax, or otherwise levy any  
 5 assessment of any kind on any riverboat gambling casino  
 6 licensed under the Riverboat Gambling Act. The General  
 7 Assembly declares that the powers to regulate the operation,  
 8 conduct, and navigation of riverboat gambling casinos and to  
 9 license, tax, and levy assessments upon riverboat gambling  
 10 casinos are exclusive powers of the State of Illinois and the  
 11 Illinois Gambling Gaming Board as provided in the Riverboat  
 12 Gambling Act.

13 (Source: P.A. 87-1175.)

14 Section 900. The Illinois Horse Racing Act of 1975 is  
 15 amended by changing Sections 3.01, 3.18, 15, 15.3, 18, 20,26,  
 16 28.1, 30, 30.5, 31, and 54 as follows:

17 (230 ILCS 5/3.01) (from Ch. 8, par. 37-3.01)

18 Sec. 3.01. "Board" means the Illinois Racing Board until  
 19 the close of business on the effective date of this  
 20 amendatory Act of the 92nd General Assembly and, beginning  
 21 immediately after the close of business on the effective date  
 22 of this amendatory Act, means the Illinois Gambling Board.

23 (Source: P.A. 79-1185.)

24 (230 ILCS 5/3.18) (from Ch. 8, par. 37-3.18)

25 Sec. 3.18. "Executive Director" means the executive  
 26 director of the Illinois Gambling Raeing Board.

27 (Source: P.A. 84-531.)

28 (230 ILCS 5/9) (from Ch. 8, par. 37-9)

29 Sec. 9. The Board shall have all powers necessary and  
 30 proper to fully and effectively execute the provisions of

1 this Act, including, but not limited to, the following:

2 (a) The Board is vested with jurisdiction and  
3 supervision over all race meetings in this State, over all  
4 licensees doing business in this State, over all occupation  
5 licensees, and over all persons on the facilities of any  
6 licensee. Such jurisdiction shall include the power to issue  
7 licenses to the Illinois Department of Agriculture  
8 authorizing the pari-mutuel system of wagering on harness and  
9 Quarter Horse races held (1) at the Illinois State Fair in  
10 Sangamon County, and (2) at the DuQuoin State Fair in Perry  
11 County. The jurisdiction of the Board shall also include the  
12 power to issue licenses to county fairs which are eligible to  
13 receive funds pursuant to the Agricultural Fair Act, as now  
14 or hereafter amended, or their agents, authorizing the  
15 pari-mutuel system of wagering on horse races conducted at  
16 the county fairs receiving such licenses. Such licenses  
17 shall be governed by subsection (n) of this Section.

18 Upon application, the Board shall issue a license to the  
19 Illinois Department of Agriculture to conduct harness and  
20 Quarter Horse races at the Illinois State Fair and at the  
21 DuQuoin State Fairgrounds during the scheduled dates of each  
22 fair. The Board shall not require and the Department of  
23 Agriculture shall be exempt from the requirements of Sections  
24 15.3, 18 and 19, paragraphs (a)(2), (b), (c), (d), (e),  
25 (e-5), (e-10), (f), (g), and (h) of Section 20, and Sections  
26 21, 24 and 25. The Board and the Department of Agriculture  
27 may extend any or all of these exemptions to any contractor  
28 or agent engaged by the Department of Agriculture to conduct  
29 its race meetings when the Board determines that this would  
30 best serve the public interest and the interest of horse  
31 racing.

32 Notwithstanding any provision of law to the contrary, it  
33 shall be lawful for any licensee to operate pari-mutuel  
34 wagering or contract with the Department of Agriculture to

1 operate pari-mutuel wagering at the DuQuoin State Fairgrounds  
2 or for the Department to enter into contracts with a  
3 licensee, employ its owners, employees or agents and employ  
4 such other occupation licensees as the Department deems  
5 necessary in connection with race meetings and wagerings.

6 (b) The Board is vested with the full power to  
7 promulgate reasonable rules and regulations for the purpose  
8 of administering the provisions of this Act and to prescribe  
9 reasonable rules, regulations and conditions under which all  
10 horse race meetings or wagering in the State shall be  
11 conducted. Such reasonable rules and regulations are to  
12 provide for the prevention of practices detrimental to the  
13 public interest and to promote the best interests of horse  
14 racing and to impose penalties for violations thereof.

15 (c) The Board, and any person or persons to whom it  
16 delegates this power, is vested with the power to enter the  
17 facilities and other places of business of any licensee to  
18 determine whether there has been compliance with the  
19 provisions of this Act and its rules and regulations.

20 (d) The Board, and any person or persons to whom it  
21 delegates this power, is vested with the authority to  
22 investigate alleged violations of the provisions of this Act,  
23 its reasonable rules and regulations, orders and final  
24 decisions; the Board shall take appropriate disciplinary  
25 action against any licensee or occupation licensee for  
26 violation thereof or institute appropriate legal action for  
27 the enforcement thereof.

28 (e) The Board, and any person or persons to whom it  
29 delegates this power, may eject or exclude from any race  
30 meeting or the facilities of any licensee, or any part  
31 thereof, any occupation licensee or any other individual  
32 whose conduct or reputation is such that his presence on  
33 those facilities may, in the opinion of the Board, call into  
34 question the honesty and integrity of horse racing or

1     wagering or interfere with the orderly conduct of horse  
2     racing or wagering; provided, however, that no person shall  
3     be excluded or ejected from the facilities of any licensee  
4     solely on the grounds of race, color, creed, national origin,  
5     ancestry, or sex. The power to eject or exclude an  
6     occupation licensee or other individual may be exercised for  
7     just cause by the licensee or the Board, subject to  
8     subsequent hearing by the Board as to the propriety of said  
9     exclusion.

10       (f) The Board is vested with the power to acquire,  
11     establish, maintain and operate (or provide by contract to  
12     maintain and operate) testing laboratories and related  
13     facilities, for the purpose of conducting saliva, blood,  
14     urine and other tests on the horses run or to be run in any  
15     horse race meeting and to purchase all equipment and supplies  
16     deemed necessary or desirable in connection with any such  
17     testing laboratories and related facilities and all such  
18     tests.

19       (g) The Board may require that the records, including  
20     financial or other statements of any licensee or any person  
21     affiliated with the licensee who is involved directly or  
22     indirectly in the activities of any licensee as regulated  
23     under this Act to the extent that those financial or other  
24     statements relate to such activities be kept in such manner  
25     as prescribed by the Board, and that Board employees shall  
26     have access to those records during reasonable business  
27     hours. Within 120 days of the end of its fiscal year, each  
28     licensee shall transmit to the Board an audit of the  
29     financial transactions and condition of the licensee's total  
30     operations. All audits shall be conducted by certified  
31     public accountants. Each certified public accountant must be  
32     registered in the State of Illinois under the Illinois Public  
33     Accounting Act. The compensation for each certified public  
34     accountant shall be paid directly by the licensee to the

1 certified public accountant. A licensee shall also submit  
2 any other financial or related information the Board deems  
3 necessary to effectively administer this Act and all rules,  
4 regulations, and final decisions promulgated under this Act.

5 (h) The Board shall name and appoint in the manner  
6 provided by the rules and regulations of the Board: an  
7 ~~Executive--Director~~; a State director of mutuels; State  
8 veterinarians and representatives to take saliva, blood,  
9 urine and other tests on horses; licensing personnel; revenue  
10 inspectors; and State seasonal employees (excluding admission  
11 ticket sellers and mutuel clerks). All of those named and  
12 appointed as provided in this subsection shall serve during  
13 the pleasure of the Board; their compensation shall be  
14 determined by the Board and be paid in the same manner as  
15 other employees of the Board under this Act.

16 (i) The Board shall require that there shall be 3  
17 stewards at each horse race meeting, at least 2 of whom shall  
18 be named and appointed by the Board. Stewards appointed or  
19 approved by the Board, while performing duties required by  
20 this Act or by the Board, shall be entitled to the same  
21 rights and immunities as granted to Board members and Board  
22 employees ~~in-Section-10-of-this-Act~~.

23 (j) The Board may discharge any Board employee who fails  
24 or refuses for any reason to comply with the rules and  
25 regulations of the Board, or who, in the opinion of the  
26 Board, is guilty of fraud, dishonesty or who is proven to be  
27 incompetent. The Board shall have no right or power to  
28 determine who shall be officers, directors or employees of  
29 any licensee, or their salaries except the Board may, by  
30 rule, require that all or any officials or employees in  
31 charge of or whose duties relate to the actual running of  
32 races be approved by the Board.

33 (k) The Board is vested with the power to appoint  
34 delegates to execute any of the powers granted to it under

1 this Section for the purpose of administering this Act and  
2 any rules or regulations promulgated in accordance with this  
3 Act.

4 (l) The Board is vested with the power to impose civil  
5 penalties of up to \$5,000 against an individual and up to  
6 \$10,000 against a licensee for each violation of any  
7 provision of this Act, any rules adopted by the Board, any  
8 order of the Board or any other action which, in the Board's  
9 discretion, is a detriment or impediment to horse racing or  
10 wagering.

11 (m) The Board is vested with the power to prescribe a  
12 form to be used by licensees as an application for employment  
13 for employees of each licensee.

14 (n) The Board shall have the power to issue a license to  
15 any county fair, or its agent, authorizing the conduct of the  
16 pari-mutuel system of wagering. The Board is vested with the  
17 full power to promulgate reasonable rules, regulations and  
18 conditions under which all horse race meetings licensed  
19 pursuant to this subsection shall be held and conducted,  
20 including rules, regulations and conditions for the conduct  
21 of the pari-mutuel system of wagering. The rules,  
22 regulations and conditions shall provide for the prevention  
23 of practices detrimental to the public interest and for the  
24 best interests of horse racing, and shall prescribe penalties  
25 for violations thereof. Any authority granted the Board  
26 under this Act shall extend to its jurisdiction and  
27 supervision over county fairs, or their agents, licensed  
28 pursuant to this subsection. However, the Board may waive  
29 any provision of this Act or its rules or regulations which  
30 would otherwise apply to such county fairs or their agents.

31 (o) Whenever the Board is authorized or required by law  
32 to consider some aspect of criminal history record  
33 information for the purpose of carrying out its statutory  
34 powers and responsibilities, then, upon request and payment

1 of fees in conformance with the requirements of Section  
2 2605-400 of the Department of State Police Law (20 ILCS  
3 2605/2605-400), the Department of State Police is authorized  
4 to furnish, pursuant to positive identification, such  
5 information contained in State files as is necessary to  
6 fulfill the request.

7 (p) To insure the convenience, comfort, and wagering  
8 accessibility of race track patrons, to provide for the  
9 maximization of State revenue, and to generate increases in  
10 purse allotments to the horsemen, the Board shall require any  
11 licensee to staff the pari-mutuel department with adequate  
12 personnel.

13 (Source: P.A. 91-239, eff. 1-1-00.)

14 (230 ILCS 5/15.3) (from Ch. 8, par. 37-15.3)

15 Sec. 15.3. Any person who makes application for an  
16 employment position as a pari-mutuel clerk, parking attendant  
17 or security guard with a licensee, where such position would  
18 involve work conducted in whole or in part at a wagering  
19 facility within this State shall be required to fill out an  
20 employment application form prescribed by the Illinois-Racing  
21 Board. Such application form shall require the applicant to  
22 state the following:

23 (a) whether the applicant has ever been convicted of a  
24 felony offense under the laws of this State, the laws of any  
25 other state, or the laws of the United States;

26 (b) whether the applicant has ever been convicted of a  
27 misdemeanor offense under the laws of this State, the laws of  
28 any other state, or the laws of the United States, which  
29 offense involved dishonesty, fraud, deception or moral  
30 turpitude;

31 (c) whether the applicant has ever been excluded by the  
32 Board or any other jurisdiction where wagering is conducted;

33 (d) whether the applicant has ever committed an act of

1     touting, bookmaking, theft, or fraud, as those terms are  
2     defined in Section 15.2 of this Act; and

3             (e) any other information that the Board may deem  
4     necessary to carry out the purposes of Public Act 84-1468.

5             The applicant shall sign the application form and certify  
6     that, under the penalties of perjury of this State, the  
7     statements set forth in the application form are true and  
8     correct.

9             The licensee shall, upon its decision to hire the  
10    applicant, forward a copy of the application form to the  
11    Board. The Board shall review the application form  
12    immediately upon receipt.

13            The Board's review of the application form shall include  
14    an inquiry as to whether the applicant has been accused of  
15    any of the acts prohibited under Section 15.2 of this Act  
16    and, if the Board does find that the applicant has been so  
17    accused, it shall conduct an investigation to determine  
18    whether, by a standard of reasonable certainty, the applicant  
19    committed the act. If the Board determines that the applicant  
20    did commit any of the acts prohibited under that Section, it  
21    may exclude the applicant or declare that the applicant is  
22    ineligible for employment.

23            The Board may declare an applicant ineligible for  
24    employment if it finds that the applicant has been previously  
25    excluded by the Board. In making such a declaration, the  
26    Board shall consider: (a) the reasons the applicant had been  
27    previously excluded; (b) the period of time that has elapsed  
28    since the applicant was excluded; and (c) how the previous  
29    exclusion relates to the applicant's ability to perform the  
30    duties of the employment position for which he or she is  
31    applying.

32            When the Board excludes an applicant or declares an  
33    applicant ineligible for employment, it shall immediately  
34    notify such applicant and the licensee of its action. A

1 person so excluded or declared ineligible for employment may  
2 request a hearing before the Board in accordance with Section  
3 16 of this Act.

4 No licensee may employ a pari-mutuel clerk, parking  
5 attendant or security guard at a wagering facility after such  
6 licensee has been notified that such person has been declared  
7 ineligible by the Board.

8 Nothing herein shall be construed to limit the Board's  
9 exclusionary authority under Section 16.

10 Sections 15.2 and 15.3 of this Act shall apply to any  
11 person who holds an employment position as a pari-mutuel  
12 clerk, parking attendant, or security guard subsequent to  
13 July 1, 1987 with a licensee. All such employees employed  
14 prior to July 1, 1987 shall be required to file employment  
15 applications with the Board, and the information required  
16 under subparagraphs (a) through (e) of this Section  
17 pertaining to conduct or activities prior to July 1, 1987  
18 shall only be used by the Board in its determination to  
19 exclude an applicant or its declaration that an applicant is  
20 ineligible for employment based on conduct that occurs after  
21 July 1, 1987.

22 (Source: P.A. 89-16, eff. 5-30-95.)

23 (230 ILCS 5/18) (from Ch. 8, par. 37-18)

24 Sec. 18. (a) Together with its application, each  
25 applicant for racing dates shall deliver to the Board a  
26 certified check or bank draft payable to the order of the  
27 Board for \$1,000. In the event the applicant applies for  
28 racing dates in 2 or 3 successive calendar years as provided  
29 in subsection (b) of Section 21, the fee shall be \$2,000.  
30 Filing fees shall not be refunded in the event the  
31 application is denied.

32 (b) In addition to the filing fee of \$1000 and the fees  
33 provided in subsection (j) of Section 20, each organization

1 licensee shall pay a license fee of \$100 for each racing  
 2 program on which its daily pari-mutuel handle is \$400,000 or  
 3 more but less than \$700,000, and a license fee of \$200 for  
 4 each racing program on which its daily pari-mutuel handle is  
 5 \$700,000 or more. The additional fees required to be paid  
 6 under this Section by this amendatory Act of 1982 shall be  
 7 remitted by the organization licensee to the ~~Illinois--Raeing~~  
 8 Board with each day's graduated privilege tax or pari-mutuel  
 9 tax and breakage as provided under Section 27.

10 (c) Sections 11-42-1, 11-42-5, and 11-54-1 of the  
 11 "~~Illinois Municipal Code, approved May 29, 1961, as now or~~  
 12 ~~hereafter amended,~~ shall not apply to any license under this  
 13 Act.

14 (Source: P.A. 91-40, eff. 6-25-99.)

15 (230 ILCS 5/20) (from Ch. 8, par. 37-20)

16 Sec. 20. (a) Any person desiring to conduct a horse race  
 17 meeting may apply to the Board for an organization license.  
 18 The application shall be made on a form prescribed and  
 19 furnished by the Board. The application shall specify:

20 (1) the dates on which it intends to conduct the  
 21 horse race meeting, which dates shall be provided under  
 22 Section 21;

23 (2) the hours of each racing day between which it  
 24 intends to hold or conduct horse racing at such meeting;

25 (3) the location where it proposes to conduct the  
 26 meeting; and

27 (4) any other information the Board may reasonably  
 28 require.

29 (b) A separate application for an organization license  
 30 shall be filed for each horse race meeting which such person  
 31 proposes to hold. Any such application, if made by an  
 32 individual, or by any individual as trustee, shall be signed  
 33 and verified under oath by such individual. If made by

1 individuals or a partnership, it shall be signed and verified  
2 under oath by at least 2 of such individuals or members of  
3 such partnership as the case may be. If made by an  
4 association, corporation, corporate trustee or any other  
5 entity, it shall be signed by the president and attested by  
6 the secretary or assistant secretary under the seal of such  
7 association, trust or corporation if it has a seal, and shall  
8 also be verified under oath by one of the signing officers.

9 (c) The application shall specify the name of the  
10 persons, association, trust, or corporation making such  
11 application and the post office address of the applicant; if  
12 the applicant is a trustee, the names and addresses of the  
13 beneficiaries; if a corporation, the names and post office  
14 addresses of all officers, stockholders and directors; or if  
15 such stockholders hold stock as a nominee or fiduciary, the  
16 names and post office addresses of these persons,  
17 partnerships, corporations, or trusts who are the beneficial  
18 owners thereof or who are beneficially interested therein;  
19 and if a partnership, the names and post office addresses of  
20 all partners, general or limited; if the applicant is a  
21 corporation, the name of the state of its incorporation shall  
22 be specified.

23 (d) The applicant shall execute and file with the Board  
24 a good faith affirmative action plan to recruit, train, and  
25 upgrade minorities in all classifications within the  
26 association.

27 (e) With such application there shall be delivered to  
28 the Board a certified check or bank draft payable to the  
29 order of the Board for an amount equal to \$1,000. All  
30 applications for the issuance of an organization license  
31 shall be filed with the Board before August 1 of the year  
32 prior to the year for which application is made and shall be  
33 acted upon by the Board at a meeting to be held on such date  
34 as shall be fixed by the Board during the last 15 days of

1 September of such prior year. At such meeting, the Board  
2 shall announce the award of the racing meets, live racing  
3 schedule, and designation of host track to the applicants and  
4 its approval or disapproval of each application. No  
5 announcement shall be considered binding until a formal order  
6 is executed by the Board, which shall be executed no later  
7 than October 15 of that prior year. Absent the agreement of  
8 the affected organization licensees, the Board shall not  
9 grant overlapping race meetings to 2 or more tracks that are  
10 within 100 miles of each other to conduct the thoroughbred  
11 racing.

12 (e-5) In reviewing an application for the purpose of  
13 granting an organization license consistent with the best  
14 interests of the public and the sport of horse racing, the  
15 Board shall consider:

16 (1) the character, reputation, experience, and  
17 financial integrity of the applicant and of any other  
18 separate person that either:

19 (i) controls the applicant, directly or  
20 indirectly, or

21 (ii) is controlled, directly or indirectly, by  
22 that applicant or by a person who controls, directly  
23 or indirectly, that applicant;

24 (2) the applicant's facilities or proposed  
25 facilities for conducting horse racing;

26 (3) the total revenue without regard to Section  
27 32.1 to be derived by the State and horsemen from the  
28 applicant's conducting a race meeting;

29 (4) the applicant's good faith affirmative action  
30 plan to recruit, train, and upgrade minorities in all  
31 employment classifications;

32 (5) the applicant's financial ability to purchase  
33 and maintain adequate liability and casualty insurance;

34 (6) the applicant's proposed and prior year's

1 promotional and marketing activities and expenditures of  
2 the applicant associated with those activities;

3 (7) an agreement, if any, among organization  
4 licensees as provided in subsection (b) of Section 21 of  
5 this Act; and

6 (8) the extent to which the applicant exceeds or  
7 meets other standards for the issuance of an organization  
8 license that the Board shall adopt by rule.

9 In granting organization licenses and allocating dates  
10 for horse race meetings, the Board shall have discretion to  
11 determine an overall schedule, including required simulcasts  
12 of Illinois races by host tracks that will, in its judgment,  
13 be conducive to the best interests of the public and the  
14 sport of horse racing.

15 (e-10) The Illinois Administrative Procedure Act shall  
16 apply to administrative procedures of the Board under this  
17 Act for the granting of an organization license, except that  
18 (1) notwithstanding the provisions of subsection (b) of  
19 Section 10-40 of the Illinois Administrative Procedure Act  
20 regarding cross-examination, the Board may prescribe rules  
21 limiting the right of an applicant or participant in any  
22 proceeding to award an organization license to conduct  
23 cross-examination of witnesses at that proceeding where that  
24 cross-examination would unduly obstruct the timely award of  
25 an organization license under subsection (e) of Section 20 of  
26 this Act; (2) the provisions of Section 10-45 of the Illinois  
27 Administrative Procedure Act regarding proposals for decision  
28 are excluded under this Act; (3) notwithstanding the  
29 provisions of subsection (a) of Section 10-60 of the Illinois  
30 Administrative Procedure Act regarding ex parte  
31 communications, the Board may prescribe rules allowing ex  
32 parte communications with applicants or participants in a  
33 proceeding to award an organization license where conducting  
34 those communications would be in the best interest of racing,

1 provided all those communications are made part of the record  
2 of that proceeding pursuant to subsection (c) of Section  
3 10-60 of the Illinois Administrative Procedure Act; (4) the  
4 provisions of Section ~~75~~ 14a of Illinois Gambling Board this  
5 Act and the rules of the Board promulgated under that Section  
6 shall apply instead of the provisions of Article 10 of the  
7 Illinois Administrative Procedure Act regarding  
8 administrative law judges; and (5) the provisions of  
9 subsection (d) of Section 10-65 of the Illinois  
10 Administrative Procedure Act that prevent summary suspension  
11 of a license pending revocation or other action shall not  
12 apply.

13 (f) The Board may allot racing dates to an organization  
14 licensee for more than one calendar year but for no more than  
15 3 successive calendar years in advance, provided that the  
16 Board shall review such allotment for more than one calendar  
17 year prior to each year for which such allotment has been  
18 made. The granting of an organization license to a person  
19 constitutes a privilege to conduct a horse race meeting under  
20 the provisions of this Act, and no person granted an  
21 organization license shall be deemed to have a vested  
22 interest, property right, or future expectation to receive an  
23 organization license in any subsequent year as a result of  
24 the granting of an organization license. Organization  
25 licenses shall be subject to revocation if the organization  
26 licensee has violated any provision of this Act or the rules  
27 and regulations promulgated under this Act or has been  
28 convicted of a crime or has failed to disclose or has stated  
29 falsely any information called for in the application for an  
30 organization license. Any organization license revocation  
31 proceeding shall be in accordance with Section 16 regarding  
32 suspension and revocation of occupation licenses.

33 (f-5) If, (i) an applicant does not file an acceptance  
34 of the racing dates awarded by the Board as required under

1 part (1) of subsection (h) of this Section 20, or (ii) an  
2 organization licensee has its license suspended or revoked  
3 under this Act, the Board, upon conducting an emergency  
4 hearing as provided for in this Act, may reaward on an  
5 emergency basis pursuant to rules established by the Board,  
6 racing dates not accepted or the racing dates associated with  
7 any suspension or revocation period to one or more  
8 organization licensees, new applicants, or any combination  
9 thereof, upon terms and conditions that the Board determines  
10 are in the best interest of racing, provided, the  
11 organization licensees or new applicants receiving the  
12 awarded racing dates file an acceptance of those reawarded  
13 racing dates as required under paragraph (1) of subsection  
14 (h) of this Section 20 and comply with the other provisions  
15 of this Act. The Illinois Administrative Procedure  
16 Proceedures Act shall not apply to the administrative  
17 procedures of the Board in conducting the emergency hearing  
18 and the reallocation of racing dates on an emergency basis.

19 (g) (Blank).

20 (h) The Board shall send the applicant a copy of its  
21 formally executed order by certified mail addressed to the  
22 applicant at the address stated in his application, which  
23 notice shall be mailed within 5 days of the date the formal  
24 order is executed.

25 Each applicant notified shall, within 10 days after  
26 receipt of the final executed order of the Board awarding  
27 racing dates:

28 (1) file with the Board an acceptance of such award  
29 in the form prescribed by the Board;

30 (2) pay to the Board an additional amount equal to  
31 \$110 for each racing date awarded; and

32 (3) file with the Board the bonds required in  
33 Sections 21 and 25 at least 20 days prior to the first  
34 day of each race meeting.

1 Upon compliance with the provisions of paragraphs (1), (2),  
2 and (3) of this subsection (h), the applicant shall be issued  
3 an organization license.

4 If any applicant fails to comply with this Section or  
5 fails to pay the organization license fees herein provided,  
6 no organization license shall be issued to such applicant.

7 (Source: P.A. 91-40, eff. 6-25-99.)

8 (230 ILCS 5/26) (from Ch. 8, par. 37-26)

9 Sec. 26. Wagering.

10 (a) Any licensee may conduct and supervise the  
11 pari-mutuel system of wagering, as defined in Section 3.12 of  
12 this Act, on horse races conducted by an Illinois  
13 organization licensee or conducted at a racetrack located in  
14 another state or country and televised in Illinois in  
15 accordance with subsection (g) of Section 26 of this Act.  
16 Subject to the prior consent of the Board, licensees may  
17 supplement any pari-mutuel pool in order to guarantee a  
18 minimum distribution. Such pari-mutuel method of wagering  
19 shall not, under any circumstances if conducted under the  
20 provisions of this Act, be held or construed to be unlawful,  
21 other statutes of this State to the contrary notwithstanding.  
22 Subject to rules for advance wagering promulgated by the  
23 Board, any licensee may accept wagers in advance of the day  
24 of the race wagered upon occurs.

25 (b) No other method of betting, pool making, wagering or  
26 gambling shall be used or permitted by the licensee. Each  
27 licensee may retain, subject to the payment of all applicable  
28 taxes and purses, an amount not to exceed 17% of all money  
29 wagered under subsection (a) of this Section, except as may  
30 otherwise be permitted under this Act.

31 (b-5) An individual may place a wager under the  
32 pari-mutuel system from any licensed location authorized  
33 under this Act provided that wager is electronically recorded

1 in the manner described in Section 3.12 of this Act. Any  
2 wager made electronically by an individual while physically  
3 on the premises of a licensee shall be deemed to have been  
4 made at the premises of that licensee.

5 (c) Until January 1, 2000, the sum held by any licensee  
6 for payment of outstanding pari-mutuel tickets, if unclaimed  
7 prior to December 31 of the next year, shall be retained by  
8 the licensee for payment of such tickets until that date.  
9 Within 10 days thereafter, the balance of such sum remaining  
10 unclaimed, less any uncashed supplements contributed by such  
11 licensee for the purpose of guaranteeing minimum  
12 distributions of any pari-mutuel pool, shall be paid to the  
13 Illinois Veterans' Rehabilitation Fund of the State treasury,  
14 except as provided in subsection (g) of Section 27 of this  
15 Act.

16 (c-5) Beginning January 1, 2000, the sum held by any  
17 licensee for payment of outstanding pari-mutuel tickets, if  
18 unclaimed prior to December 31 of the next year, shall be  
19 retained by the licensee for payment of such tickets until  
20 that date. Within 10 days thereafter, the balance of such  
21 sum remaining unclaimed, less any uncashed supplements  
22 contributed by such licensee for the purpose of guaranteeing  
23 minimum distributions of any pari-mutuel pool, shall be  
24 evenly distributed to the purse account of the organization  
25 licensee and the organization licensee.

26 (d) A pari-mutuel ticket shall be honored until December  
27 31 of the next calendar year, and the licensee shall pay the  
28 same and may charge the amount thereof against unpaid money  
29 similarly accumulated on account of pari-mutuel tickets not  
30 presented for payment.

31 (e) No licensee shall knowingly permit any minor, other  
32 than an employee of such licensee or an owner, trainer,  
33 jockey, driver, or employee thereof, to be admitted during a  
34 racing program unless accompanied by a parent or guardian, or

1 any minor to be a patron of the pari-mutuel system of  
2 wagering conducted or supervised by it. The admission of any  
3 unaccompanied minor, other than an employee of the licensee  
4 or an owner, trainer, jockey, driver, or employee thereof at  
5 a race track is a Class C misdemeanor.

6 (f) Notwithstanding the other provisions of this Act, an  
7 organization licensee may contract with an entity in another  
8 state or country to permit any legal wagering entity in  
9 another state or country to accept wagers solely within such  
10 other state or country on races conducted by the organization  
11 licensee in this State. Beginning January 1, 2000, these  
12 wagers shall not be subject to State taxation. Until January  
13 1, 2000, when the out-of-State entity conducts a pari-mutuel  
14 pool separate from the organization licensee, a privilege tax  
15 equal to 7 1/2% of all monies received by the organization  
16 licensee from entities in other states or countries pursuant  
17 to such contracts is imposed on the organization licensee,  
18 and such privilege tax shall be remitted to the Department of  
19 Revenue within 48 hours of receipt of the moneys from the  
20 simulcast. When the out-of-State entity conducts a combined  
21 pari-mutuel pool with the organization licensee, the tax  
22 shall be 10% of all monies received by the organization  
23 licensee with 25% of the receipts from this 10% tax to be  
24 distributed to the county in which the race was conducted.

25 An organization licensee may permit one or more of its  
26 races to be utilized for pari-mutuel wagering at one or more  
27 locations in other states and may transmit audio and visual  
28 signals of races the organization licensee conducts to one or  
29 more locations outside the State or country and may also  
30 permit pari-mutuel pools in other states or countries to be  
31 combined with its gross or net wagering pools or with  
32 wagering pools established by other states.

33 (g) A host track may accept interstate simulcast wagers  
34 on horse races conducted in other states or countries and

1 shall control the number of signals and types of breeds of  
2 racing in its simulcast program, subject to the disapproval  
3 of the Board. The Board may prohibit a simulcast program  
4 only if it finds that the simulcast program is clearly  
5 adverse to the integrity of racing. The host track simulcast  
6 program shall include the signal of live racing of all  
7 organization licensees. All non-host licensees shall carry  
8 the host track simulcast program and accept wagers on all  
9 races included as part of the simulcast program upon which  
10 wagering is permitted. The costs and expenses of the host  
11 track and non-host licensees associated with interstate  
12 simulcast wagering, other than the interstate commission fee,  
13 shall be borne by the host track and all non-host licensees  
14 incurring these costs. The interstate commission fee shall  
15 not exceed 5% of Illinois handle on the interstate simulcast  
16 race or races without prior approval of the Board. The Board  
17 shall promulgate rules under which it may permit interstate  
18 commission fees in excess of 5%. The interstate commission  
19 fee and other fees charged by the sending racetrack,  
20 including, but not limited to, satellite decoder fees, shall  
21 be uniformly applied to the host track and all non-host  
22 licensees.

23 (1) Between the hours of 6:30 a.m. and 6:30 p.m. an  
24 intertrack wagering licensee other than the host track  
25 may supplement the host track simulcast program with  
26 additional simulcast races or race programs, provided  
27 that between January 1 and the third Friday in February  
28 of any year, inclusive, if no live thoroughbred racing is  
29 occurring in Illinois during this period, only  
30 thoroughbred races may be used for supplemental  
31 interstate simulcast purposes. The Board shall withhold  
32 approval for a supplemental interstate simulcast only if  
33 it finds that the simulcast is clearly adverse to the  
34 integrity of racing. A supplemental interstate simulcast

1 may be transmitted from an intertrack wagering licensee  
2 to its affiliated non-host licensees. The interstate  
3 commission fee for a supplemental interstate simulcast  
4 shall be paid by the non-host licensee and its affiliated  
5 non-host licensees receiving the simulcast.

6 (2) Between the hours of 6:30 p.m. and 6:30 a.m. an  
7 intertrack wagering licensee other than the host track  
8 may receive supplemental interstate simulcasts only with  
9 the consent of the host track, except when the Board  
10 finds that the simulcast is clearly adverse to the  
11 integrity of racing. Consent granted under this  
12 paragraph (2) to any intertrack wagering licensee shall  
13 be deemed consent to all non-host licensees. The  
14 interstate commission fee for the supplemental interstate  
15 simulcast shall be paid by all participating non-host  
16 licensees.

17 (3) Each licensee conducting interstate simulcast  
18 wagering may retain, subject to the payment of all  
19 applicable taxes and the purses, an amount not to exceed  
20 17% of all money wagered. If any licensee conducts the  
21 pari-mutuel system wagering on races conducted at  
22 racetracks in another state or country, each such race or  
23 race program shall be considered a separate racing day  
24 for the purpose of determining the daily handle and  
25 computing the privilege tax of that daily handle as  
26 provided in subsection (a) of Section 27. Until January  
27 1, 2000, from the sums permitted to be retained pursuant  
28 to this subsection, each intertrack wagering location  
29 licensee shall pay 1% of the pari-mutuel handle wagered  
30 on simulcast wagering to the Horse Racing Tax Allocation  
31 Fund, subject to the provisions of subparagraph (B) of  
32 paragraph (11) of subsection (h) of Section 26 of this  
33 Act.

34 (4) A licensee who receives an interstate simulcast

1 may combine its gross or net pools with pools at the  
2 sending racetracks pursuant to rules established by the  
3 Board. All licensees combining their gross pools at a  
4 sending racetrack shall adopt the take-out percentages of  
5 the sending racetrack. A licensee may also establish a  
6 separate pool and takeout structure for wagering purposes  
7 on races conducted at race tracks outside of the State of  
8 Illinois. The licensee may permit pari-mutuel wagers  
9 placed in other states or countries to be combined with  
10 its gross or net wagering pools or other wagering pools.

11 (5) After the payment of the interstate commission  
12 fee (except for the interstate commission fee on a  
13 supplemental interstate simulcast, which shall be paid by  
14 the host track and by each non-host licensee through the  
15 host-track) and all applicable State and local taxes,  
16 except as provided in subsection (g) of Section 27 of  
17 this Act, the remainder of moneys retained from simulcast  
18 wagering pursuant to this subsection (g), and Section  
19 26.2 shall be divided as follows:

20 (A) For interstate simulcast wagers made at a  
21 host track, 50% to the host track and 50% to purses  
22 at the host track.

23 (B) For wagers placed on interstate simulcast  
24 races, supplemental simulcasts as defined in  
25 subparagraphs (1) and (2), and separately pooled  
26 races conducted outside of the State of Illinois  
27 made at a non-host licensee, 25% to the host track,  
28 25% to the non-host licensee, and 50% to the purses  
29 at the host track.

30 (6) Notwithstanding any provision in this Act to  
31 the contrary, non-host licensees who derive their  
32 licenses from a track located in a county with a  
33 population in excess of 230,000 and that borders the  
34 Mississippi River may receive supplemental interstate

1 simulcast races at all times subject to Board approval,  
2 which shall be withheld only upon a finding that a  
3 supplemental interstate simulcast is clearly adverse to  
4 the integrity of racing.

5 (7) Notwithstanding any provision of this Act to  
6 the contrary, after payment of all applicable State and  
7 local taxes and interstate commission fees, non-host  
8 licensees who derive their licenses from a track located  
9 in a county with a population in excess of 230,000 and  
10 that borders the Mississippi River shall retain 50% of  
11 the retention from interstate simulcast wagers and shall  
12 pay 50% to purses at the track from which the non-host  
13 licensee derives its license as follows:

14 (A) Between January 1 and the third Friday in  
15 February, inclusive, if no live thoroughbred racing  
16 is occurring in Illinois during this period, when  
17 the interstate simulcast is a standardbred race, the  
18 purse share to its standardbred purse account;

19 (B) Between January 1 and the third Friday in  
20 February, inclusive, if no live thoroughbred racing  
21 is occurring in Illinois during this period, and the  
22 interstate simulcast is a thoroughbred race, the  
23 purse share to its interstate simulcast purse pool  
24 to be distributed under paragraph (10) of this  
25 subsection (g);

26 (C) Between January 1 and the third Friday in  
27 February, inclusive, if live thoroughbred racing is  
28 occurring in Illinois, between 6:30 a.m. and 6:30  
29 p.m. the purse share from wagers made during this  
30 time period to its thoroughbred purse account and  
31 between 6:30 p.m. and 6:30 a.m. the purse share from  
32 wagers made during this time period to its  
33 standardbred purse accounts;

34 (D) Between the third Saturday in February and

1 December 31, when the interstate simulcast occurs  
2 between the hours of 6:30 a.m. and 6:30 p.m., the  
3 purse share to its thoroughbred purse account;

4 (E) Between the third Saturday in February and  
5 December 31, when the interstate simulcast occurs  
6 between the hours of 6:30 p.m. and 6:30 a.m., the  
7 purse share to its standardbred purse account.

8 (8) Notwithstanding any provision in this Act to  
9 the contrary, an organization licensee from a track  
10 located in a county with a population in excess of  
11 230,000 and that borders the Mississippi River and its  
12 affiliated non-host licensees shall not be entitled to  
13 share in any retention generated on racing, inter-track  
14 wagering, or simulcast wagering at any other Illinois  
15 wagering facility.

16 (8.1) Notwithstanding any provisions in this Act to  
17 the contrary, if 2 organization licensees are conducting  
18 standardbred race meetings concurrently between the hours  
19 of 6:30 p.m. and 6:30 a.m., after payment of all  
20 applicable State and local taxes and interstate  
21 commission fees, the remainder of the amount retained  
22 from simulcast wagering otherwise attributable to the  
23 host track and to host track purses shall be split daily  
24 between the 2 organization licensees and the purses at  
25 the tracks of the 2 organization licensees, respectively,  
26 based on each organization licensee's share of the total  
27 live handle for that day, provided that this provision  
28 shall not apply to any non-host licensee that derives its  
29 license from a track located in a county with a  
30 population in excess of 230,000 and that borders the  
31 Mississippi River.

32 (9) (Blank).

33 (10) (Blank).

34 (11) (Blank).

1           (12) The Board shall have authority to compel all  
2 host tracks to receive the simulcast of any or all races  
3 conducted at the Springfield or DuQuoin State fairgrounds  
4 and include all such races as part of their simulcast  
5 programs.

6           (13) Notwithstanding any other provision of this  
7 Act, in the event that the total Illinois pari-mutuel  
8 handle on Illinois horse races at all wagering facilities  
9 in any calendar year is less than 75% of the total  
10 Illinois pari-mutuel handle on Illinois horse races at  
11 all such wagering facilities for calendar year 1994, then  
12 each wagering facility that has an annual total Illinois  
13 pari-mutuel handle on Illinois horse races that is less  
14 than 75% of the total Illinois pari-mutuel handle on  
15 Illinois horse races at such wagering facility for  
16 calendar year 1994, shall be permitted to receive, from  
17 any amount otherwise payable to the purse account at the  
18 race track with which the wagering facility is affiliated  
19 in the succeeding calendar year, an amount equal to 2% of  
20 the differential in total Illinois pari-mutuel handle on  
21 Illinois horse races at the wagering facility between  
22 that calendar year in question and 1994 provided,  
23 however, that a wagering facility shall not be entitled  
24 to any such payment until the Board certifies in writing  
25 to the wagering facility the amount to which the wagering  
26 facility is entitled and a schedule for payment of the  
27 amount to the wagering facility, based on: (i) the racing  
28 dates awarded to the race track affiliated with the  
29 wagering facility during the succeeding year; (ii) the  
30 sums available or anticipated to be available in the  
31 purse account of the race track affiliated with the  
32 wagering facility for purses during the succeeding year;  
33 and (iii) the need to ensure reasonable purse levels  
34 during the payment period. The Board's certification

1 shall be provided no later than January 31 of the  
2 succeeding year. In the event a wagering facility  
3 entitled to a payment under this paragraph (13) is  
4 affiliated with a race track that maintains purse  
5 accounts for both standardbred and thoroughbred racing,  
6 the amount to be paid to the wagering facility shall be  
7 divided between each purse account pro rata, based on the  
8 amount of Illinois handle on Illinois standardbred and  
9 thoroughbred racing respectively at the wagering facility  
10 during the previous calendar year. Annually, the General  
11 Assembly shall appropriate sufficient funds from the  
12 General Revenue Fund to the Department of Agriculture for  
13 payment into the thoroughbred and standardbred horse  
14 racing purse accounts at Illinois pari-mutuel tracks.  
15 The amount paid to each purse account shall be the amount  
16 certified by the Illinois-Racing Board in January to be  
17 transferred from each account to each eligible racing  
18 facility in accordance with the provisions of this  
19 Section.

20 (h) The Board may approve and license the conduct of  
21 inter-track wagering and simulcast wagering by inter-track  
22 wagering licensees and inter-track wagering location  
23 licensees subject to the following terms and conditions:

24 (1) Any person licensed to conduct a race meeting  
25 at a track where 60 or more days of racing were conducted  
26 during the immediately preceding calendar year or where  
27 over the 5 immediately preceding calendar years an  
28 average of 30 or more days of racing were conducted  
29 annually or at a track located in a county that is  
30 bounded by the Mississippi River, which has a population  
31 of less than 150,000 according to the 1990 decennial  
32 census, and an average of at least 60 days of racing per  
33 year between 1985 and 1993 may be issued an inter-track  
34 wagering license. Any such person having operating

1 control of the racing facility may also receive up to 6  
2 inter-track wagering location licenses. In no event shall  
3 more than 6 inter-track wagering locations be established  
4 for each eligible race track, except that an eligible  
5 race track located in a county that has a population of  
6 more than 230,000 and that is bounded by the Mississippi  
7 River may establish up to 7 inter-track wagering  
8 locations. An application for said license shall be filed  
9 with the Board prior to such dates as may be fixed by the  
10 Board. With an application for an inter-track wagering  
11 location license there shall be delivered to the Board a  
12 certified check or bank draft payable to the order of the  
13 Board for an amount equal to \$500. The application shall  
14 be on forms prescribed and furnished by the Board. The  
15 application shall comply with all other rules,  
16 regulations and conditions imposed by the Board in  
17 connection therewith.

18 (2) The Board shall examine the applications with  
19 respect to their conformity with this Act and the rules  
20 and regulations imposed by the Board. If found to be in  
21 compliance with the Act and rules and regulations of the  
22 Board, the Board may then issue a license to conduct  
23 inter-track wagering and simulcast wagering to such  
24 applicant. All such applications shall be acted upon by  
25 the Board at a meeting to be held on such date as may be  
26 fixed by the Board.

27 (3) In granting licenses to conduct inter-track  
28 wagering and simulcast wagering, the Board shall give due  
29 consideration to the best interests of the public, of  
30 horse racing, and of maximizing revenue to the State.

31 (4) Prior to the issuance of a license to conduct  
32 inter-track wagering and simulcast wagering, the  
33 applicant shall file with the Board a bond payable to the  
34 State of Illinois in the sum of \$50,000, executed by the

1 applicant and a surety company or companies authorized to  
2 do business in this State, and conditioned upon (i) the  
3 payment by the licensee of all taxes due under Section 27  
4 or 27.1 and any other monies due and payable under this  
5 Act, and (ii) distribution by the licensee, upon  
6 presentation of the winning ticket or tickets, of all  
7 sums payable to the patrons of pari-mutuel pools.

8 (5) Each license to conduct inter-track wagering  
9 and simulcast wagering shall specify the person to whom  
10 it is issued, the dates on which such wagering is  
11 permitted, and the track or location where the wagering  
12 is to be conducted.

13 (6) All wagering under such license is subject to  
14 this Act and to the rules and regulations from time to  
15 time prescribed by the Board, and every such license  
16 issued by the Board shall contain a recital to that  
17 effect.

18 (7) An inter-track wagering licensee or inter-track  
19 wagering location licensee may accept wagers at the track  
20 or location where it is licensed, or as otherwise  
21 provided under this Act.

22 (8) Inter-track wagering or simulcast wagering  
23 shall not be conducted at any track less than 5 miles  
24 from a track at which a racing meeting is in progress.

25 (8.1) Inter-track wagering location licensees who  
26 derive their licenses from a particular organization  
27 licensee shall conduct inter-track wagering and simulcast  
28 wagering only at locations which are either within 90  
29 miles of that race track where the particular  
30 organization licensee is licensed to conduct racing, or  
31 within 135 miles of that race track where the particular  
32 organization licensee is licensed to conduct racing in  
33 the case of race tracks in counties of less than 400,000  
34 that were operating on or before June 1, 1986. However,

1 inter-track wagering and simulcast wagering shall not be  
2 conducted by those licensees at any location within 5  
3 miles of any race track at which a horse race meeting has  
4 been licensed in the current year, unless the person  
5 having operating control of such race track has given its  
6 written consent to such inter-track wagering location  
7 licensees, which consent must be filed with the Board at  
8 or prior to the time application is made.

9 (8.2) Inter-track wagering or simulcast wagering  
10 shall not be conducted by an inter-track wagering  
11 location licensee at any location within 500 feet of an  
12 existing church or existing school, nor within 500 feet  
13 of the residences of more than 50 registered voters  
14 without receiving written permission from a majority of  
15 the registered voters at such residences. Such written  
16 permission statements shall be filed with the Board. The  
17 distance of 500 feet shall be measured to the nearest  
18 part of any building used for worship services, education  
19 programs, residential purposes, or conducting inter-track  
20 wagering by an inter-track wagering location licensee,  
21 and not to property boundaries. However, inter-track  
22 wagering or simulcast wagering may be conducted at a site  
23 within 500 feet of a church, school or residences of 50  
24 or more registered voters if such church, school or  
25 residences have been erected or established, or such  
26 voters have been registered, after the Board issues the  
27 original inter-track wagering location license at the  
28 site in question. Inter-track wagering location licensees  
29 may conduct inter-track wagering and simulcast wagering  
30 only in areas that are zoned for commercial or  
31 manufacturing purposes or in areas for which a special  
32 use has been approved by the local zoning authority.  
33 However, no license to conduct inter-track wagering and  
34 simulcast wagering shall be granted by the Board with

1 respect to any inter-track wagering location within the  
2 jurisdiction of any local zoning authority which has, by  
3 ordinance or by resolution, prohibited the establishment  
4 of an inter-track wagering location within its  
5 jurisdiction. However, inter-track wagering and  
6 simulcast wagering may be conducted at a site if such  
7 ordinance or resolution is enacted after the Board  
8 licenses the original inter-track wagering location  
9 licensee for the site in question.

10 (9) (Blank).

11 (10) An inter-track wagering licensee or an  
12 inter-track wagering location licensee may retain,  
13 subject to the payment of the privilege taxes and the  
14 purses, an amount not to exceed 17% of all money wagered.  
15 Each program of racing conducted by each inter-track  
16 wagering licensee or inter-track wagering location  
17 licensee shall be considered a separate racing day for  
18 the purpose of determining the daily handle and computing  
19 the privilege tax or pari-mutuel tax on such daily handle  
20 as provided in Section 27.

21 (10.1) Except as provided in subsection (g) of  
22 Section 27 of this Act, inter-track wagering location  
23 licensees shall pay 1% of the pari-mutuel handle at each  
24 location to the municipality in which such location is  
25 situated and 1% of the pari-mutuel handle at each  
26 location to the county in which such location is  
27 situated. In the event that an inter-track wagering  
28 location licensee is situated in an unincorporated area  
29 of a county, such licensee shall pay 2% of the  
30 pari-mutuel handle from such location to such county.

31 (10.2) Notwithstanding any other provision of this  
32 Act, with respect to intertrack wagering at a race track  
33 located in a county that has a population of more than  
34 230,000 and that is bounded by the Mississippi River

1 ("the first race track"), or at a facility operated by an  
2 inter-track wagering licensee or inter-track wagering  
3 location licensee that derives its license from the  
4 organization licensee that operates the first race track,  
5 on races conducted at the first race track or on races  
6 conducted at another Illinois race track and  
7 simultaneously televised to the first race track or to a  
8 facility operated by an inter-track wagering licensee or  
9 inter-track wagering location licensee that derives its  
10 license from the organization licensee that operates the  
11 first race track, those moneys shall be allocated as  
12 follows:

13 (A) That portion of all moneys wagered on  
14 standardbred racing that is required under this Act  
15 to be paid to purses shall be paid to purses for  
16 standardbred races.

17 (B) That portion of all moneys wagered on  
18 thoroughbred racing that is required under this Act  
19 to be paid to purses shall be paid to purses for  
20 thoroughbred races.

21 (11) (A) After payment of the privilege or  
22 pari-mutuel tax, any other applicable taxes, and the  
23 costs and expenses in connection with the gathering,  
24 transmission, and dissemination of all data necessary to  
25 the conduct of inter-track wagering, the remainder of the  
26 monies retained under either Section 26 or Section 26.2  
27 of this Act by the inter-track wagering licensee on  
28 inter-track wagering shall be allocated with 50% to be  
29 split between the 2 participating licensees and 50% to  
30 purses, except that an intertrack wagering licensee that  
31 derives its license from a track located in a county with  
32 a population in excess of 230,000 and that borders the  
33 Mississippi River shall not divide any remaining  
34 retention with the Illinois organization licensee that

1 provides the race or races, and an intertrack wagering  
2 licensee that accepts wagers on races conducted by an  
3 organization licensee that conducts a race meet in a  
4 county with a population in excess of 230,000 and that  
5 borders the Mississippi River shall not divide any  
6 remaining retention with that organization licensee.

7 (B) From the sums permitted to be retained pursuant  
8 to this Act each inter-track wagering location licensee  
9 shall pay (i) the privilege or pari-mutuel tax to the  
10 State; (ii) 4.75% of the pari-mutuel handle on intertrack  
11 wagering at such location on races as purses, except that  
12 an intertrack wagering location licensee that derives its  
13 license from a track located in a county with a  
14 population in excess of 230,000 and that borders the  
15 Mississippi River shall retain all purse moneys for its  
16 own purse account consistent with distribution set forth  
17 in this subsection (h), and intertrack wagering location  
18 licensees that accept wagers on races conducted by an  
19 organization licensee located in a county with a  
20 population in excess of 230,000 and that borders the  
21 Mississippi River shall distribute all purse moneys to  
22 purses at the operating host track; (iii) until January  
23 1, 2000, except as provided in subsection (g) of Section  
24 27 of this Act, 1% of the pari-mutuel handle wagered on  
25 inter-track wagering and simulcast wagering at each  
26 inter-track wagering location licensee facility to the  
27 Horse Racing Tax Allocation Fund, provided that, to the  
28 extent the total amount collected and distributed to the  
29 Horse Racing Tax Allocation Fund under this subsection  
30 (h) during any calendar year exceeds the amount collected  
31 and distributed to the Horse Racing Tax Allocation Fund  
32 during calendar year 1994, that excess amount shall be  
33 redistributed (I) to all inter-track wagering location  
34 licensees, based on each licensee's pro-rata share of the

1 total handle from inter-track wagering and simulcast  
2 wagering for all inter-track wagering location licensees  
3 during the calendar year in which this provision is  
4 applicable; then (II) the amounts redistributed to each  
5 inter-track wagering location licensee as described in  
6 subpart (I) shall be further redistributed as provided in  
7 subparagraph (B) of paragraph (5) of subsection (g) of  
8 this Section 26 provided first, that the shares of those  
9 amounts, which are to be redistributed to the host track  
10 or to purses at the host track under subparagraph (B) of  
11 paragraph (5) of subsection (g) of this Section 26 shall  
12 be redistributed based on each host track's pro rata  
13 share of the total inter-track wagering and simulcast  
14 wagering handle at all host tracks during the calendar  
15 year in question, and second, that any amounts  
16 redistributed as described in part (I) to an inter-track  
17 wagering location licensee that accepts wagers on races  
18 conducted by an organization licensee that conducts a  
19 race meet in a county with a population in excess of  
20 230,000 and that borders the Mississippi River shall be  
21 further redistributed as provided in subparagraphs (D)  
22 and (E) of paragraph (7) of subsection (g) of this  
23 Section 26, with the portion of that further  
24 redistribution allocated to purses at that organization  
25 licensee to be divided between standardbred purses and  
26 thoroughbred purses based on the amounts otherwise  
27 allocated to purses at that organization licensee during  
28 the calendar year in question; and (iv) 8% of the  
29 pari-mutuel handle on inter-track wagering wagered at  
30 such location to satisfy all costs and expenses of  
31 conducting its wagering. The remainder of the monies  
32 retained by the inter-track wagering location licensee  
33 shall be allocated 40% to the location licensee and 60%  
34 to the organization licensee which provides the Illinois

1 races to the location, except that an intertrack wagering  
2 location licensee that derives its license from a track  
3 located in a county with a population in excess of  
4 230,000 and that borders the Mississippi River shall not  
5 divide any remaining retention with the organization  
6 licensee that provides the race or races and an  
7 intertrack wagering location licensee that accepts wagers  
8 on races conducted by an organization licensee that  
9 conducts a race meet in a county with a population in  
10 excess of 230,000 and that borders the Mississippi River  
11 shall not divide any remaining retention with the  
12 organization licensee. Notwithstanding the provisions of  
13 clauses (ii) and (iv) of this paragraph, in the case of  
14 the additional inter-track wagering location licenses  
15 authorized under paragraph (1) of this subsection (h) by  
16 this amendatory Act of 1991, those licensees shall pay  
17 the following amounts as purses: during the first 12  
18 months the licensee is in operation, 5.25% of the  
19 pari-mutuel handle wagered at the location on races;  
20 during the second 12 months, 5.25%; during the third 12  
21 months, 5.75%; during the fourth 12 months, 6.25%; and  
22 during the fifth 12 months and thereafter, 6.75%. The  
23 following amounts shall be retained by the licensee to  
24 satisfy all costs and expenses of conducting its  
25 wagering: during the first 12 months the licensee is in  
26 operation, 8.25% of the pari-mutuel handle wagered at the  
27 location; during the second 12 months, 8.25%; during the  
28 third 12 months, 7.75%; during the fourth 12 months,  
29 7.25%; and during the fifth 12 months and thereafter,  
30 6.75%. For additional intertrack wagering location  
31 licensees authorized under this amendatory Act of 1995,  
32 purses for the first 12 months the licensee is in  
33 operation shall be 5.75% of the pari-mutuel wagered at  
34 the location, purses for the second 12 months the

1 licensee is in operation shall be 6.25%, and purses  
2 thereafter shall be 6.75%. For additional intertrack  
3 location licensees authorized under this amendatory Act  
4 of 1995, the licensee shall be allowed to retain to  
5 satisfy all costs and expenses: 7.75% of the pari-mutuel  
6 handle wagered at the location during its first 12 months  
7 of operation, 7.25% during its second 12 months of  
8 operation, and 6.75% thereafter.

9 (C) There is hereby created the Horse Racing Tax  
10 Allocation Fund which shall remain in existence until  
11 December 31, 1999. Moneys remaining in the Fund after  
12 December 31, 1999 shall be paid into the General Revenue  
13 Fund. Until January 1, 2000, all monies paid into the  
14 Horse Racing Tax Allocation Fund pursuant to this  
15 paragraph (11) by inter-track wagering location licensees  
16 located in park districts of 500,000 population or less,  
17 or in a municipality that is not included within any park  
18 district but is included within a conservation district  
19 and is the county seat of a county that (i) is contiguous  
20 to the state of Indiana and (ii) has a 1990 population of  
21 88,257 according to the United States Bureau of the  
22 Census, and operating on May 1, 1994 shall be allocated  
23 by appropriation as follows:

24 Two-sevenths to the Department of Agriculture.  
25 Fifty percent of this two-sevenths shall be used to  
26 promote the Illinois horse racing and breeding  
27 industry, and shall be distributed by the Department  
28 of Agriculture upon the advice of a 9-member  
29 committee appointed by the Governor consisting of  
30 the following members: the Director of Agriculture,  
31 who shall serve as chairman; 2 representatives of  
32 organization licensees conducting thoroughbred race  
33 meetings in this State, recommended by those  
34 licensees; 2 representatives of organization

1 licensees conducting standardbred race meetings in  
2 this State, recommended by those licensees; a  
3 representative of the Illinois Thoroughbred Breeders  
4 and Owners Foundation, recommended by that  
5 Foundation; a representative of the Illinois  
6 Standardbred Owners and Breeders Association,  
7 recommended by that Association; a representative of  
8 the Horsemen's Benevolent and Protective Association  
9 or any successor organization thereto established in  
10 Illinois comprised of the largest number of owners  
11 and trainers, recommended by that Association or  
12 that successor organization; and a representative of  
13 the Illinois Harness Horsemen's Association,  
14 recommended by that Association. Committee members  
15 shall serve for terms of 2 years, commencing January  
16 1 of each even-numbered year. If a representative  
17 of any of the above-named entities has not been  
18 recommended by January 1 of any even-numbered year,  
19 the Governor shall appoint a committee member to  
20 fill that position. Committee members shall receive  
21 no compensation for their services as members but  
22 shall be reimbursed for all actual and necessary  
23 expenses and disbursements incurred in the  
24 performance of their official duties. The remaining  
25 50% of this two-sevenths shall be distributed to  
26 county fairs for premiums and rehabilitation as set  
27 forth in the Agricultural Fair Act;

28 Four-sevenths to park districts or  
29 municipalities that do not have a park district of  
30 500,000 population or less for museum purposes (if  
31 an inter-track wagering location licensee is located  
32 in such a park district) or to conservation  
33 districts for museum purposes (if an inter-track  
34 wagering location licensee is located in a

1 municipality that is not included within any park  
2 district but is included within a conservation  
3 district and is the county seat of a county that (i)  
4 is contiguous to the state of Indiana and (ii) has a  
5 1990 population of 88,257 according to the United  
6 States Bureau of the Census, except that if the  
7 conservation district does not maintain a museum,  
8 the monies shall be allocated equally between the  
9 county and the municipality in which the inter-track  
10 wagering location licensee is located for general  
11 purposes) or to a municipal recreation board for  
12 park purposes (if an inter-track wagering location  
13 licensee is located in a municipality that is not  
14 included within any park district and park  
15 maintenance is the function of the municipal  
16 recreation board and the municipality has a 1990  
17 population of 9,302 according to the United States  
18 Bureau of the Census); provided that the monies are  
19 distributed to each park district or conservation  
20 district or municipality that does not have a park  
21 district in an amount equal to four-sevenths of the  
22 amount collected by each inter-track wagering  
23 location licensee within the park district or  
24 conservation district or municipality for the Fund.  
25 Monies that were paid into the Horse Racing Tax  
26 Allocation Fund before the effective date of this  
27 amendatory Act of 1991 by an inter-track wagering  
28 location licensee located in a municipality that is  
29 not included within any park district but is  
30 included within a conservation district as provided  
31 in this paragraph shall, as soon as practicable  
32 after the effective date of this amendatory Act of  
33 1991, be allocated and paid to that conservation  
34 district as provided in this paragraph. Any park

1 district or municipality not maintaining a museum  
2 may deposit the monies in the corporate fund of the  
3 park district or municipality where the inter-track  
4 wagering location is located, to be used for general  
5 purposes; and

6 One-seventh to the Agricultural Premium Fund to  
7 be used for distribution to agricultural home  
8 economics extension councils in accordance with "An  
9 Act in relation to additional support and finances  
10 for the Agricultural and Home Economic Extension  
11 Councils in the several counties of this State and  
12 making an appropriation therefor", approved July 24,  
13 1967.

14 Until January 1, 2000, all other monies paid into  
15 the Horse Racing Tax Allocation Fund pursuant to this  
16 paragraph (11) shall be allocated by appropriation as  
17 follows:

18 Two-sevenths to the Department of Agriculture.  
19 Fifty percent of this two-sevenths shall be used to  
20 promote the Illinois horse racing and breeding  
21 industry, and shall be distributed by the Department  
22 of Agriculture upon the advice of a 9-member  
23 committee appointed by the Governor consisting of  
24 the following members: the Director of Agriculture,  
25 who shall serve as chairman; 2 representatives of  
26 organization licensees conducting thoroughbred race  
27 meetings in this State, recommended by those  
28 licensees; 2 representatives of organization  
29 licensees conducting standardbred race meetings in  
30 this State, recommended by those licensees; a  
31 representative of the Illinois Thoroughbred Breeders  
32 and Owners Foundation, recommended by that  
33 Foundation; a representative of the Illinois  
34 Standardbred Owners and Breeders Association,

1 recommended by that Association; a representative of  
2 the Horsemen's Benevolent and Protective Association  
3 or any successor organization thereto established in  
4 Illinois comprised of the largest number of owners  
5 and trainers, recommended by that Association or  
6 that successor organization; and a representative of  
7 the Illinois Harness Horsemen's Association,  
8 recommended by that Association. Committee members  
9 shall serve for terms of 2 years, commencing January  
10 1 of each even-numbered year. If a representative  
11 of any of the above-named entities has not been  
12 recommended by January 1 of any even-numbered year,  
13 the Governor shall appoint a committee member to  
14 fill that position. Committee members shall receive  
15 no compensation for their services as members but  
16 shall be reimbursed for all actual and necessary  
17 expenses and disbursements incurred in the  
18 performance of their official duties. The remaining  
19 50% of this two-sevenths shall be distributed to  
20 county fairs for premiums and rehabilitation as set  
21 forth in the Agricultural Fair Act;

22 Four-sevenths to museums and aquariums located  
23 in park districts of over 500,000 population;  
24 provided that the monies are distributed in  
25 accordance with the previous year's distribution of  
26 the maintenance tax for such museums and aquariums  
27 as provided in Section 2 of the Park District  
28 Aquarium and Museum Act; and

29 One-seventh to the Agricultural Premium Fund to  
30 be used for distribution to agricultural home  
31 economics extension councils in accordance with "An  
32 Act in relation to additional support and finances  
33 for the Agricultural and Home Economic Extension  
34 Councils in the several counties of this State and

1 making an appropriation therefor", approved July 24,  
2 1967. This subparagraph (C) shall be inoperative and  
3 of no force and effect on and after January 1, 2000.

4 (D) Except as provided in paragraph (11) of  
5 this subsection (h), with respect to purse  
6 allocation from intertrack wagering, the monies so  
7 retained shall be divided as follows:

8 (i) If the inter-track wagering licensee,  
9 except an intertrack wagering licensee that  
10 derives its license from an organization  
11 licensee located in a county with a population  
12 in excess of 230,000 and bounded by the  
13 Mississippi River, is not conducting its own  
14 race meeting during the same dates, then the  
15 entire purse allocation shall be to purses at  
16 the track where the races wagered on are being  
17 conducted.

18 (ii) If the inter-track wagering  
19 licensee, except an intertrack wagering  
20 licensee that derives its license from an  
21 organization licensee located in a county with  
22 a population in excess of 230,000 and bounded  
23 by the Mississippi River, is also conducting  
24 its own race meeting during the same dates,  
25 then the purse allocation shall be as follows:  
26 50% to purses at the track where the races  
27 wagered on are being conducted; 50% to purses  
28 at the track where the inter-track wagering  
29 licensee is accepting such wagers.

30 (iii) If the inter-track wagering is  
31 being conducted by an inter-track wagering  
32 location licensee, except an intertrack  
33 wagering location licensee that derives its  
34 license from an organization licensee located

1 in a county with a population in excess of  
2 230,000 and bounded by the Mississippi River,  
3 the entire purse allocation for Illinois races  
4 shall be to purses at the track where the race  
5 meeting being wagered on is being held.

6 (12) The Board shall have all powers necessary and  
7 proper to fully supervise and control the conduct of  
8 inter-track wagering and simulcast wagering by  
9 inter-track wagering licensees and inter-track wagering  
10 location licensees, including, but not limited to the  
11 following:

12 (A) The Board is vested with power to  
13 promulgate reasonable rules and regulations for the  
14 purpose of administering the conduct of this  
15 wagering and to prescribe reasonable rules,  
16 regulations and conditions under which such wagering  
17 shall be held and conducted. Such rules and  
18 regulations are to provide for the prevention of  
19 practices detrimental to the public interest and for  
20 the best interests of said wagering and to impose  
21 penalties for violations thereof.

22 (B) The Board, and any person or persons to  
23 whom it delegates this power, is vested with the  
24 power to enter the facilities of any licensee to  
25 determine whether there has been compliance with the  
26 provisions of this Act and the rules and regulations  
27 relating to the conduct of such wagering.

28 (C) The Board, and any person or persons to  
29 whom it delegates this power, may eject or exclude  
30 from any licensee's facilities, any person whose  
31 conduct or reputation is such that his presence on  
32 such premises may, in the opinion of the Board, call  
33 into the question the honesty and integrity of, or  
34 interfere with the orderly conduct of such wagering;

1 provided, however, that no person shall be excluded  
2 or ejected from such premises solely on the grounds  
3 of race, color, creed, national origin, ancestry, or  
4 sex.

5 (D) (Blank).

6 (E) The Board is vested with the power to  
7 appoint delegates to execute any of the powers  
8 granted to it under this Section for the purpose of  
9 administering this wagering and any rules and  
10 regulations promulgated in accordance with this Act.

11 (F) The Board shall name and appoint a State  
12 director of this wagering who shall be a  
13 representative of the Board and whose duty it shall  
14 be to supervise the conduct of inter-track wagering  
15 as may be provided for by the rules and regulations  
16 of the Board; such rules and regulation shall  
17 specify the method of appointment and the Director's  
18 powers, authority and duties.

19 (G) The Board is vested with the power to  
20 impose civil penalties of up to \$5,000 against  
21 individuals and up to \$10,000 against licensees for  
22 each violation of any provision of this Act relating  
23 to the conduct of this wagering, any rules adopted  
24 by the Board, any order of the Board or any other  
25 action which in the Board's discretion, is a  
26 detriment or impediment to such wagering.

27 (13) The Department of Agriculture may enter into  
28 agreements with licensees authorizing such licensees to  
29 conduct inter-track wagering on races to be held at the  
30 licensed race meetings conducted by the Department of  
31 Agriculture. Such agreement shall specify the races of  
32 the Department of Agriculture's licensed race meeting  
33 upon which the licensees will conduct wagering. In the  
34 event that a licensee conducts inter-track pari-mutuel

1           wagering on races from the Illinois State Fair or DuQuoin  
2           State Fair which are in addition to the licensee's  
3           previously approved racing program, those races shall be  
4           considered a separate racing day for the purpose of  
5           determining the daily handle and computing the privilege  
6           or pari-mutuel tax on that daily handle as provided in  
7           Sections 27 and 27.1. Such agreements shall be approved  
8           by the Board before such wagering may be conducted. In  
9           determining whether to grant approval, the Board shall  
10          give due consideration to the best interests of the  
11          public and of horse racing. The provisions of paragraphs  
12          (1), (8), (8.1), and (8.2) of subsection (h) of this  
13          Section which are not specified in this paragraph (13)  
14          shall not apply to licensed race meetings conducted by  
15          the Department of Agriculture at the Illinois State Fair  
16          in Sangamon County or the DuQuoin State Fair in Perry  
17          County, or to any wagering conducted on those race  
18          meetings.

19          (i) Notwithstanding the other provisions of this Act,  
20          the conduct of wagering at wagering facilities is authorized  
21          on all days, except as limited by subsection (b) of Section  
22          19 of this Act.

23          (Source: P.A. 91-40, eff. 6-25-99.)

24          (230 ILCS 5/28.1)

25          Sec. 28.1. Payments.

26          (a) Beginning on January 1, 2000, moneys collected by  
27          the Department of Revenue and the Racing Board pursuant to  
28          Section 26 or Section 27 of this Act shall be deposited into  
29          the Horse Racing Fund, which is hereby created as a special  
30          fund in the State Treasury.

31          (b) Appropriations, as approved by the General Assembly,  
32          may be made from the Horse Racing Fund to the Board to pay  
33          the salaries of the Board members, secretary, stewards,

1 directors of mutuels, veterinarians, representatives,  
2 accountants, clerks, stenographers, inspectors and other  
3 employees of the Board, and all expenses of the Board  
4 incident to the administration of this Act, including, but  
5 not limited to, all expenses and salaries incident to the  
6 taking of saliva and urine samples in accordance with the  
7 rules and regulations of the Board.

8 (c) Beginning on January 1, 2000, the Board shall  
9 transfer the remainder of the funds generated pursuant to  
10 Sections 26 and 27 from the Horse Racing Fund into the  
11 General Revenue Fund.

12 (d) Beginning January 1, 2000, payments to all programs  
13 in existence on the effective date of this amendatory Act of  
14 1999 that are identified in Sections 26(c), 26(f),  
15 26(h)(11)(C), and 28, subsections (a), (b), (c), (d), (e),  
16 (f), (g), and (h) of Section 30, and subsections (a), (b),  
17 (c), (d), (e), (f), (g), and (h) of Section 31 shall be made  
18 from the General Revenue Fund at the funding levels  
19 determined by amounts paid under this Act in calendar year  
20 1998.

21 (Source: P.A. 91-40, eff. 6-25-99.)

22 (230 ILCS 5/30) (from Ch. 8, par. 37-30)

23 Sec. 30. (a) The General Assembly declares that it is  
24 the policy of this State to encourage the breeding of  
25 thoroughbred horses in this State and the ownership of such  
26 horses by residents of this State in order to provide for:  
27 sufficient numbers of high quality thoroughbred horses to  
28 participate in thoroughbred racing meetings in this State,  
29 and to establish and preserve the agricultural and commercial  
30 benefits of such breeding and racing industries to the State  
31 of Illinois. It is the intent of the General Assembly to  
32 further this policy by the provisions of this Act.

33 (b) Each organization licensee conducting a thoroughbred

1 racing meeting pursuant to this Act shall provide at least  
2 two races each day limited to Illinois conceived and foaled  
3 horses or Illinois foaled horses or both. A minimum of 6  
4 races shall be conducted each week limited to Illinois  
5 conceived and foaled or Illinois foaled horses or both. No  
6 horses shall be permitted to start in such races unless duly  
7 registered under the rules of the Department of Agriculture.

8 (c) Conditions of races under subsection (b) shall be  
9 commensurate with past performance, quality, and class of  
10 Illinois conceived and foaled and Illinois foaled horses  
11 available. If, however, sufficient competition cannot be had  
12 among horses of that class on any day, the races may, with  
13 consent of the Board, be eliminated for that day and  
14 substitute races provided.

15 (d) There is hereby created a special fund of the State  
16 Treasury to be known as the Illinois Thoroughbred Breeders  
17 Fund.

18 Except as provided in subsection (g) of Section 27 of  
19 this Act, 8.5% of all the monies received by the State as  
20 privilege taxes on Thoroughbred racing meetings shall be paid  
21 into the Illinois Thoroughbred Breeders Fund.

22 (e) The Illinois Thoroughbred Breeders Fund shall be  
23 administered by the Department of Agriculture with the advice  
24 and assistance of the Advisory Board created in subsection  
25 (f) of this Section.

26 (f) The Illinois Thoroughbred Breeders Fund Advisory  
27 Board shall consist of the Director of the Department of  
28 Agriculture, who shall serve as Chairman; a member of the  
29 Illinois Gambling Racing Board, designated by it; 2  
30 representatives of the organization licensees conducting  
31 thoroughbred racing meetings, recommended by them; 2  
32 representatives of the Illinois Thoroughbred Breeders and  
33 Owners Foundation, recommended by it; and 2 representatives  
34 of the Horsemen's Benevolent Protective Association or any

1 successor organization established in Illinois comprised of  
2 the largest number of owners and trainers, recommended by it,  
3 with one representative of the Horsemen's Benevolent and  
4 Protective Association to come from its Illinois Division,  
5 and one from its Chicago Division. Advisory Board members  
6 shall serve for 2 years commencing January 1 of each odd  
7 numbered year. If representatives of the organization  
8 licensees conducting thoroughbred racing meetings, the  
9 Illinois Thoroughbred Breeders and Owners Foundation, and the  
10 Horsemen's Benevolent Protection Association have not been  
11 recommended by January 1, of each odd numbered year, the  
12 Director of the Department of Agriculture shall make an  
13 appointment for the organization failing to so recommend a  
14 member of the Advisory Board. Advisory Board members shall  
15 receive no compensation for their services as members but  
16 shall be reimbursed for all actual and necessary expenses and  
17 disbursements incurred in the execution of their official  
18 duties.

19 (g) No monies shall be expended from the Illinois  
20 Thoroughbred Breeders Fund except as appropriated by the  
21 General Assembly. Monies appropriated from the Illinois  
22 Thoroughbred Breeders Fund shall be expended by the  
23 Department of Agriculture, with the advice and assistance of  
24 the Illinois Thoroughbred Breeders Fund Advisory Board, for  
25 the following purposes only:

26 (1) To provide purse supplements to owners of  
27 horses participating in races limited to Illinois  
28 conceived and foaled and Illinois foaled horses. Any  
29 such purse supplements shall not be included in and shall  
30 be paid in addition to any purses, stakes, or breeders'  
31 awards offered by each organization licensee as  
32 determined by agreement between such organization  
33 licensee and an organization representing the horsemen.  
34 No monies from the Illinois Thoroughbred Breeders Fund

1 shall be used to provide purse supplements for claiming  
2 races in which the minimum claiming price is less than  
3 \$7,500.

4 (2) To provide stakes and awards to be paid to the  
5 owners of the winning horses in certain races limited to  
6 Illinois conceived and foaled and Illinois foaled horses  
7 designated as stakes races.

8 (2.5) To provide an award to the owner or owners of  
9 an Illinois conceived and foaled or Illinois foaled horse  
10 that wins a maiden special weight, an allowance,  
11 overnight handicap race, or claiming race with claiming  
12 price of \$10,000 or more providing the race is not  
13 restricted to Illinois conceived and foaled or Illinois  
14 foaled horses. Awards shall also be provided to the  
15 owner or owners of Illinois conceived and foaled and  
16 Illinois foaled horses that place second or third in  
17 those races. To the extent that additional moneys are  
18 required to pay the minimum additional awards of 40% of  
19 the purse the horse earns for placing first, second or  
20 third in those races for Illinois foaled horses and of  
21 60% of the purse the horse earns for placing first,  
22 second or third in those races for Illinois conceived and  
23 foaled horses, those moneys shall be provided from the  
24 purse account at the track where earned.

25 (3) To provide stallion awards to the owner or  
26 owners of any stallion that is duly registered with the  
27 Illinois Thoroughbred Breeders Fund Program prior to the  
28 effective date of this amendatory Act of 1995 whose duly  
29 registered Illinois conceived and foaled offspring wins a  
30 race conducted at an Illinois thoroughbred racing meeting  
31 other than a claiming race. Such award shall not be paid  
32 to the owner or owners of an Illinois stallion that  
33 served outside this State at any time during the calendar  
34 year in which such race was conducted.

1           (4) To provide \$75,000 annually for purses to be  
2 distributed to county fairs that provide for the running  
3 of races during each county fair exclusively for the  
4 thoroughbreds conceived and foaled in Illinois. The  
5 conditions of the races shall be developed by the county  
6 fair association and reviewed by the Department with the  
7 advice and assistance of the Illinois Thoroughbred  
8 Breeders Fund Advisory Board. There shall be no wagering  
9 of any kind on the running of Illinois conceived and  
10 foaled races at county fairs.

11           (4.1) To provide purse money for an Illinois  
12 stallion stakes program.

13           (5) No less than 80% of all monies appropriated  
14 from the Illinois Thoroughbred Breeders Fund shall be  
15 expended for the purposes in (1), (2), (2.5), (3), (4),  
16 (4.1), and (5) as shown above.

17           (6) To provide for educational programs regarding  
18 the thoroughbred breeding industry.

19           (7) To provide for research programs concerning the  
20 health, development and care of the thoroughbred horse.

21           (8) To provide for a scholarship and training  
22 program for students of equine veterinary medicine.

23           (9) To provide for dissemination of public  
24 information designed to promote the breeding of  
25 thoroughbred horses in Illinois.

26           (10) To provide for all expenses incurred in the  
27 administration of the Illinois Thoroughbred Breeders  
28 Fund.

29           (h) Whenever the Governor finds that the amount in the  
30 Illinois Thoroughbred Breeders Fund is more than the total of  
31 the outstanding appropriations from such fund, the Governor  
32 shall notify the State Comptroller and the State Treasurer of  
33 such fact. The Comptroller and the State Treasurer, upon  
34 receipt of such notification, shall transfer such excess

1 amount from the Illinois Thoroughbred Breeders Fund to the  
2 General Revenue Fund.

3 (i) A sum equal to 12 1/2% of the first prize money of  
4 every purse won by an Illinois foaled or an Illinois  
5 conceived and foaled horse in races not limited to Illinois  
6 foaled horses or Illinois conceived and foaled horses, or  
7 both, shall be paid by the organization licensee conducting  
8 the horse race meeting. Such sum shall be paid from the  
9 organization licensee's share of the money wagered as  
10 follows: 11 1/2% to the breeder of the winning horse and 1%  
11 to the organization representing thoroughbred breeders and  
12 owners whose representative serves on the Illinois  
13 Thoroughbred Breeders Fund Advisory Board for verifying the  
14 amounts of breeders' awards earned, assuring their  
15 distribution in accordance with this Act, and servicing and  
16 promoting the Illinois thoroughbred horse racing industry.  
17 The organization representing thoroughbred breeders and  
18 owners shall cause all expenditures of monies received under  
19 this subsection (i) to be audited at least annually by a  
20 registered public accountant. The organization shall file  
21 copies of each annual audit with the Illinois Gambling Racing  
22 Board, the Clerk of the House of Representatives and the  
23 Secretary of the Senate, and shall make copies of each annual  
24 audit available to the public upon request and upon payment  
25 of the reasonable cost of photocopying the requested number  
26 of copies. Such payments shall not reduce any award to the  
27 owner of the horse or reduce the taxes payable under this  
28 Act. Upon completion of its racing meet, each organization  
29 licensee shall deliver to the organization representing  
30 thoroughbred breeders and owners whose representative serves  
31 on the Illinois Thoroughbred Breeders Fund Advisory Board a  
32 listing of all the Illinois foaled and the Illinois conceived  
33 and foaled horses which won breeders' awards and the amount  
34 of such breeders' awards under this subsection to verify

1 accuracy of payments and assure proper distribution of  
2 breeders' awards in accordance with the provisions of this  
3 Act. Such payments shall be delivered by the organization  
4 licensee within 30 days of the end of each race meeting.

5 (j) A sum equal to 12 1/2% of the first prize money won  
6 in each race limited to Illinois foaled horses or Illinois  
7 conceived and foaled horses, or both, shall be paid in the  
8 following manner by the organization licensee conducting the  
9 horse race meeting, from the organization licensee's share of  
10 the money wagered: 11 1/2% to the breeders of the horses in  
11 each such race which are the official first, second, third  
12 and fourth finishers and 1% to the organization representing  
13 thoroughbred breeders and owners whose representative serves  
14 on the Illinois Thoroughbred Breeders Fund Advisory Board for  
15 verifying the amounts of breeders' awards earned, assuring  
16 their proper distribution in accordance with this Act, and  
17 servicing and promoting the Illinois thoroughbred horse  
18 racing industry. The organization representing thoroughbred  
19 breeders and owners shall cause all expenditures of monies  
20 received under this subsection (j) to be audited at least  
21 annually by a registered public accountant. The organization  
22 shall file copies of each annual audit with the Illinois  
23 Gambling Racing Board, the Clerk of the House of  
24 Representatives and the Secretary of the Senate, and shall  
25 make copies of each annual audit available to the public upon  
26 request and upon payment of the reasonable cost of  
27 photocopying the requested number of copies.

28 The 11 1/2% paid to the breeders in accordance with this  
29 subsection shall be distributed as follows:

- 30 (1) 60% of such sum shall be paid to the breeder of  
31 the horse which finishes in the official first position;
- 32 (2) 20% of such sum shall be paid to the breeder of  
33 the horse which finishes in the official second position;
- 34 (3) 15% of such sum shall be paid to the breeder of

1 the horse which finishes in the official third position;  
2 and

3 (4) 5% of such sum shall be paid to the breeder of  
4 the horse which finishes in the official fourth position.

5 Such payments shall not reduce any award to the owners of  
6 a horse or reduce the taxes payable under this Act. Upon  
7 completion of its racing meet, each organization licensee  
8 shall deliver to the organization representing thoroughbred  
9 breeders and owners whose representative serves on the  
10 Illinois Thoroughbred Breeders Fund Advisory Board a listing  
11 of all the Illinois foaled and the Illinois conceived and  
12 foaled horses which won breeders' awards and the amount of  
13 such breeders' awards in accordance with the provisions of  
14 this Act. Such payments shall be delivered by the  
15 organization licensee within 30 days of the end of each race  
16 meeting.

17 (k) The term "breeder", as used herein, means the owner  
18 of the mare at the time the foal is dropped. An "Illinois  
19 foaled horse" is a foal dropped by a mare which enters this  
20 State on or before December 1, in the year in which the horse  
21 is bred, provided the mare remains continuously in this State  
22 until its foal is born. An "Illinois foaled horse" also means  
23 a foal born of a mare in the same year as the mare enters  
24 this State on or before March 1, and remains in this State at  
25 least 30 days after foaling, is bred back during the season  
26 of the foaling to an Illinois Registered Stallion (unless a  
27 veterinarian certifies that the mare should not be bred for  
28 health reasons), and is not bred to a stallion standing in  
29 any other state during the season of foaling. An "Illinois  
30 foaled horse" also means a foal born in Illinois of a mare  
31 purchased at public auction subsequent to the mare entering  
32 this State prior to February 1 of the foaling year providing  
33 the mare is owned solely by one or more Illinois residents or  
34 an Illinois entity that is entirely owned by one or more

1 Illinois residents.

2 (1) The Department of Agriculture shall, by rule, with  
3 the advice and assistance of the Illinois Thoroughbred  
4 Breeders Fund Advisory Board:

5 (1) Qualify stallions for Illinois breeding; such  
6 stallions to stand for service within the State of  
7 Illinois at the time of a foal's conception. Such  
8 stallion must not stand for service at any place outside  
9 the State of Illinois during the calendar year in which  
10 the foal is conceived. The Department of Agriculture may  
11 assess and collect application fees for the registration  
12 of Illinois-eligible stallions. All fees collected are  
13 to be paid into the Illinois Thoroughbred Breeders Fund.

14 (2) Provide for the registration of Illinois  
15 conceived and foaled horses and Illinois foaled horses.  
16 No such horse shall compete in the races limited to  
17 Illinois conceived and foaled horses or Illinois foaled  
18 horses or both unless registered with the Department of  
19 Agriculture. The Department of Agriculture may prescribe  
20 such forms as are necessary to determine the eligibility  
21 of such horses. The Department of Agriculture may assess  
22 and collect application fees for the registration of  
23 Illinois-eligible foals. All fees collected are to be  
24 paid into the Illinois Thoroughbred Breeders Fund. No  
25 person shall knowingly prepare or cause preparation of an  
26 application for registration of such foals containing  
27 false information.

28 (m) The Department of Agriculture, with the advice and  
29 assistance of the Illinois Thoroughbred Breeders Fund  
30 Advisory Board, shall provide that certain races limited to  
31 Illinois conceived and foaled and Illinois foaled horses be  
32 stakes races and determine the total amount of stakes and  
33 awards to be paid to the owners of the winning horses in such  
34 races.

1           In determining the stakes races and the amount of awards  
2 for such races, the Department of Agriculture shall consider  
3 factors, including but not limited to, the amount of money  
4 appropriated for the Illinois Thoroughbred Breeders Fund  
5 program, organization licensees' contributions, availability  
6 of stakes caliber horses as demonstrated by past  
7 performances, whether the race can be coordinated into the  
8 proposed racing dates within organization licensees' racing  
9 dates, opportunity for colts and fillies and various age  
10 groups to race, public wagering on such races, and the  
11 previous racing schedule.

12           (n) The Board and the organizational licensee shall  
13 notify the Department of the conditions and minimum purses  
14 for races limited to Illinois conceived and foaled and  
15 Illinois foaled horses conducted for each organizational  
16 licensee conducting a thoroughbred racing meeting. The  
17 Department of Agriculture with the advice and assistance of  
18 the Illinois Thoroughbred Breeders Fund Advisory Board may  
19 allocate monies for purse supplements for such races. In  
20 determining whether to allocate money and the amount, the  
21 Department of Agriculture shall consider factors, including  
22 but not limited to, the amount of money appropriated for the  
23 Illinois Thoroughbred Breeders Fund program, the number of  
24 races that may occur, and the organizational licensee's purse  
25 structure.

26           (o) In order to improve the breeding quality of  
27 thoroughbred horses in the State, the General Assembly  
28 recognizes that existing provisions of this Section to  
29 encourage such quality breeding need to be revised and  
30 strengthened. As such, a Thoroughbred Breeder's Program Task  
31 Force is to be appointed by the Governor by September 1, 1999  
32 to make recommendations to the General Assembly by no later  
33 than March 1, 2000. This task force is to be composed of 2  
34 representatives from the Illinois Thoroughbred Breeders and

1 Owners Foundation, 2 from the Illinois Thoroughbred  
2 Horsemen's Association, 3 from Illinois race tracks operating  
3 thoroughbred race meets for an average of at least 30 days in  
4 the past 3 years, the Director of Agriculture, and the  
5 Executive Director of the Illinois Gambling Racing Board, who  
6 shall serve as Chairman.

7 (Source: P.A. 91-40, eff. 6-25-99.)

8 (230 ILCS 5/30.5)

9 Sec. 30.5. Illinois Quarter Horse Breeders Fund.

10 (a) The General Assembly declares that it is the policy  
11 of this State to encourage the breeding of racing quarter  
12 horses in this State and the ownership of such horses by  
13 residents of this State in order to provide for sufficient  
14 numbers of high quality racing quarter horses in this State  
15 and to establish and preserve the agricultural and commercial  
16 benefits of such breeding and racing industries to the State  
17 of Illinois. It is the intent of the General Assembly to  
18 further this policy by the provisions of this Act.

19 (b) There is hereby created a special fund in the State  
20 Treasury to be known as the Illinois Racing Quarter Horse  
21 Breeders Fund. Except as provided in subsection (g) of  
22 Section 27 of this Act, 8.5% of all the moneys received by  
23 the State as pari-mutuel taxes on quarter horse racing shall  
24 be paid into the Illinois Racing Quarter Horse Breeders Fund.

25 (c) The Illinois Racing Quarter Horse Breeders Fund  
26 shall be administered by the Department of Agriculture with  
27 the advice and assistance of the Advisory Board created in  
28 subsection (d) of this Section.

29 (d) The Illinois Racing Quarter Horse Breeders Fund  
30 Advisory Board shall consist of the Director of the  
31 Department of Agriculture, who shall serve as Chairman; a  
32 member of the Illinois Gambling Racing Board, designated by  
33 it; one representative of the organization licensees

1 conducting pari-mutuel quarter horse racing meetings,  
2 recommended by them; 2 representatives of the Illinois  
3 Running Quarter Horse Association, recommended by it; and the  
4 Superintendent of Fairs and Promotions from the Department of  
5 Agriculture. Advisory Board members shall serve for 2 years  
6 commencing January 1 of each odd numbered year. If  
7 representatives have not been recommended by January 1 of  
8 each odd numbered year, the Director of the Department of  
9 Agriculture may make an appointment for the organization  
10 failing to so recommend a member of the Advisory Board.  
11 Advisory Board members shall receive no compensation for  
12 their services as members but may be reimbursed for all  
13 actual and necessary expenses and disbursements incurred in  
14 the execution of their official duties.

15 (e) No moneys shall be expended from the Illinois Racing  
16 Quarter Horse Breeders Fund except as appropriated by the  
17 General Assembly. Moneys appropriated from the Illinois  
18 Racing Quarter Horse Breeders Fund shall be expended by the  
19 Department of Agriculture, with the advice and assistance of  
20 the Illinois Racing Quarter Horse Breeders Fund Advisory  
21 Board, for the following purposes only:

22 (1) To provide stakes and awards to be paid to the  
23 owners of the winning horses in certain races. This  
24 provision is limited to Illinois conceived and foaled  
25 horses.

26 (2) To provide an award to the owner or owners of  
27 an Illinois conceived and foaled horse that wins a race  
28 when pari-mutuel wagering is conducted; providing the  
29 race is not restricted to Illinois conceived and foaled  
30 horses.

31 (3) To provide purse money for an Illinois stallion  
32 stakes program.

33 (4) To provide for purses to be distributed for the  
34 running of races during the Illinois State Fair and the

1 DuQuoin State Fair exclusively for quarter horses  
2 conceived and foaled in Illinois.

3 (5) To provide for purses to be distributed for the  
4 running of races at Illinois county fairs exclusively for  
5 quarter horses conceived and foaled in Illinois.

6 (6) To provide for purses to be distributed for  
7 running races exclusively for quarter horses conceived  
8 and foaled in Illinois at locations in Illinois  
9 determined by the Department of Agriculture with advice  
10 and consent of the Racing Quarter Horse Breeders Fund  
11 Advisory Board.

12 (7) No less than 90% of all moneys appropriated  
13 from the Illinois Racing Quarter Horse Breeders Fund  
14 shall be expended for the purposes in items (1), (2),  
15 (3), (4), and (5) of this subsection (e).

16 (8) To provide for research programs concerning the  
17 health, development, and care of racing quarter horses.

18 (9) To provide for dissemination of public  
19 information designed to promote the breeding of racing  
20 quarter horses in Illinois.

21 (10) To provide for expenses incurred in the  
22 administration of the Illinois Racing Quarter Horse  
23 Breeders Fund.

24 (f) The Department of Agriculture shall, by rule, with  
25 the advice and assistance of the Illinois Racing Quarter  
26 Horse Breeders Fund Advisory Board:

27 (1) Qualify stallions for Illinois breeding; such  
28 stallions to stand for service within the State of  
29 Illinois, at the time of a foal's conception. Such  
30 stallion must not stand for service at any place outside  
31 the State of Illinois during the calendar year in which  
32 the foal is conceived. The Department of Agriculture may  
33 assess and collect application fees for the registration  
34 of Illinois-eligible stallions. All fees collected are to

1 be paid into the Illinois Racing Quarter Horse Breeders  
2 Fund.

3 (2) Provide for the registration of Illinois  
4 conceived and foaled horses. No such horse shall compete  
5 in the races limited to Illinois conceived and foaled  
6 horses unless it is registered with the Department of  
7 Agriculture. The Department of Agriculture may prescribe  
8 such forms as are necessary to determine the eligibility  
9 of such horses. The Department of Agriculture may assess  
10 and collect application fees for the registration of  
11 Illinois-eligible foals. All fees collected are to be  
12 paid into the Illinois Racing Quarter Horse Breeders  
13 Fund. No person shall knowingly prepare or cause  
14 preparation of an application for registration of such  
15 foals that contains false information.

16 (g) The Department of Agriculture, with the advice and  
17 assistance of the Illinois Racing Quarter Horse Breeders Fund  
18 Advisory Board, shall provide that certain races limited to  
19 Illinois conceived and foaled be stakes races and determine  
20 the total amount of stakes and awards to be paid to the  
21 owners of the winning horses in such races.

22 (Source: P.A. 91-40, eff. 6-25-99.)

23 (230 ILCS 5/31) (from Ch. 8, par. 37-31)

24 Sec. 31. (a) The General Assembly declares that it is  
25 the policy of this State to encourage the breeding of  
26 standardbred horses in this State and the ownership of such  
27 horses by residents of this State in order to provide for:  
28 sufficient numbers of high quality standardbred horses to  
29 participate in harness racing meetings in this State, and to  
30 establish and preserve the agricultural and commercial  
31 benefits of such breeding and racing industries to the State  
32 of Illinois. It is the intent of the General Assembly to  
33 further this policy by the provisions of this Section of this

1 Act.

2 (b) Each organization licensee conducting a harness  
3 racing meeting pursuant to this Act shall provide for at  
4 least two races each race program limited to Illinois  
5 conceived and foaled horses. A minimum of 6 races shall be  
6 conducted each week limited to Illinois conceived and foaled  
7 horses. No horses shall be permitted to start in such races  
8 unless duly registered under the rules of the Department of  
9 Agriculture.

10 (c) Conditions of races under subsection (b) shall be  
11 commensurate with past performance, quality and class of  
12 Illinois conceived and foaled horses available. If, however,  
13 sufficient competition cannot be had among horses of that  
14 class on any day, the races may, with consent of the Board,  
15 be eliminated for that day and substitute races provided.

16 (d) There is hereby created a special fund of the State  
17 Treasury to be known as the Illinois Standardbred Breeders  
18 Fund.

19 During the calendar year 1981, and each year thereafter,  
20 except as provided in subsection (g) of Section 27 of this  
21 Act, eight and one-half per cent of all the monies received  
22 by the State as privilege taxes on harness racing meetings  
23 shall be paid into the Illinois Standardbred Breeders Fund.

24 (e) The Illinois Standardbred Breeders Fund shall be  
25 administered by the Department of Agriculture with the  
26 assistance and advice of the Advisory Board created in  
27 subsection (f) of this Section.

28 (f) The Illinois Standardbred Breeders Fund Advisory  
29 Board is hereby created. The Advisory Board shall consist of  
30 the Director of the Department of Agriculture, who shall  
31 serve as Chairman; the Superintendent of the Illinois State  
32 Fair; a member of the Illinois Gambling Racing Board,  
33 designated by it; a representative of the Illinois  
34 Standardbred Owners and Breeders Association, recommended by

1 it; a representative of the Illinois Association of  
2 Agricultural Fairs, recommended by it, such representative to  
3 be from a fair at which Illinois conceived and foaled racing  
4 is conducted; a representative of the organization licensees  
5 conducting harness racing meetings, recommended by them and a  
6 representative of the Illinois Harness Horsemen's  
7 Association, recommended by it. Advisory Board members shall  
8 serve for 2 years commencing January 1, of each odd numbered  
9 year. If representatives of the Illinois Standardbred Owners  
10 and Breeders Associations, the Illinois Association of  
11 Agricultural Fairs, the Illinois Harness Horsemen's  
12 Association, and the organization licensees conducting  
13 harness racing meetings have not been recommended by January  
14 1, of each odd numbered year, the Director of the Department  
15 of Agriculture shall make an appointment for the organization  
16 failing to so recommend a member of the Advisory Board.  
17 Advisory Board members shall receive no compensation for  
18 their services as members but shall be reimbursed for all  
19 actual and necessary expenses and disbursements incurred in  
20 the execution of their official duties.

21 (g) No monies shall be expended from the Illinois  
22 Standardbred Breeders Fund except as appropriated by the  
23 General Assembly. Monies appropriated from the Illinois  
24 Standardbred Breeders Fund shall be expended by the  
25 Department of Agriculture, with the assistance and advice of  
26 the Illinois Standardbred Breeders Fund Advisory Board for  
27 the following purposes only:

28 1. To provide purses for races limited to Illinois  
29 conceived and foaled horses at the State Fair.

30 2. To provide purses for races limited to Illinois  
31 conceived and foaled horses at county fairs.

32 3. To provide purse supplements for races limited  
33 to Illinois conceived and foaled horses conducted by  
34 associations conducting harness racing meetings.

1           4. No less than 75% of all monies in the Illinois  
2 Standardbred Breeders Fund shall be expended for purses  
3 in 1, 2 and 3 as shown above.

4           5. In the discretion of the Department of  
5 Agriculture to provide awards to harness breeders of  
6 Illinois conceived and foaled horses which win races  
7 conducted by organization licensees conducting harness  
8 racing meetings. A breeder is the owner of a mare at the  
9 time of conception. No more than 10% of all monies  
10 appropriated from the Illinois Standardbred Breeders Fund  
11 shall be expended for such harness breeders awards. No  
12 more than 25% of the amount expended for harness breeders  
13 awards shall be expended for expenses incurred in the  
14 administration of such harness breeders awards.

15           6. To pay for the improvement of racing facilities  
16 located at the State Fair and County fairs.

17           7. To pay the expenses incurred in the  
18 administration of the Illinois Standardbred Breeders  
19 Fund.

20           8. To promote the sport of harness racing.

21           (h) Whenever the Governor finds that the amount in the  
22 Illinois Standardbred Breeders Fund is more than the total of  
23 the outstanding appropriations from such fund, the Governor  
24 shall notify the State Comptroller and the State Treasurer of  
25 such fact. The Comptroller and the State Treasurer, upon  
26 receipt of such notification, shall transfer such excess  
27 amount from the Illinois Standardbred Breeders Fund to the  
28 General Revenue Fund.

29           (i) A sum equal to 12 1/2% of the first prize money of  
30 every purse won by an Illinois conceived and foaled horse  
31 shall be paid by the organization licensee conducting the  
32 horse race meeting to the breeder of such winning horse from  
33 the organization licensee's share of the money wagered. Such  
34 payment shall not reduce any award to the owner of the horse

1 or reduce the taxes payable under this Act. Such payment  
2 shall be delivered by the organization licensee at the end of  
3 each race meeting.

4 (j) The Department of Agriculture shall, by rule, with  
5 the assistance and advice of the Illinois Standardbred  
6 Breeders Fund Advisory Board:

7 1. Qualify stallions for Illinois Standardbred Breeders  
8 Fund breeding; such stallion shall be owned by a resident of  
9 the State of Illinois or by an Illinois corporation all of  
10 whose shareholders, directors, officers and incorporators are  
11 residents of the State of Illinois. Such stallion shall  
12 stand for service at and within the State of Illinois at the  
13 time of a foal's conception, and such stallion must not stand  
14 for service at any place, nor may semen from such stallion be  
15 transported, outside the State of Illinois during that  
16 calendar year in which the foal is conceived and that the  
17 owner of the stallion was for the 12 months prior, a resident  
18 of Illinois. The articles of agreement of any partnership,  
19 joint venture, limited partnership, syndicate, association or  
20 corporation and any bylaws and stock certificates must  
21 contain a restriction that provides that the ownership or  
22 transfer of interest by any one of the persons a party to the  
23 agreement can only be made to a person who qualifies as an  
24 Illinois resident.

25 2. Provide for the registration of Illinois conceived  
26 and foaled horses and no such horse shall compete in the  
27 races limited to Illinois conceived and foaled horses unless  
28 registered with the Department of Agriculture. The  
29 Department of Agriculture may prescribe such forms as may be  
30 necessary to determine the eligibility of such horses. No  
31 person shall knowingly prepare or cause preparation of an  
32 application for registration of such foals containing false  
33 information. A mare (dam) must be in the state at least 30  
34 days prior to foaling or remain in the State at least 30 days

1 at the time of foaling. Beginning with the 1996 breeding  
2 season and for foals of 1997 and thereafter, a foal conceived  
3 by transported fresh semen may be eligible for Illinois  
4 conceived and foaled registration provided all breeding and  
5 foaling requirements are met. The stallion must be qualified  
6 for Illinois Standardbred Breeders Fund breeding at the time  
7 of conception and the mare must be inseminated within the  
8 State of Illinois. The foal must be dropped in Illinois and  
9 properly registered with the Department of Agriculture in  
10 accordance with this Act.

11 3. Provide that at least a 5 day racing program shall be  
12 conducted at the State Fair each year, which program shall  
13 include at least the following races limited to Illinois  
14 conceived and foaled horses: (a) a two year old Trot and  
15 Pace, and Filly Division of each; (b) a three year old Trot  
16 and Pace, and Filly Division of each; (c) an aged Trot and  
17 Pace, and Mare Division of each.

18 4. Provide for the payment of nominating, sustaining and  
19 starting fees for races promoting the sport of harness racing  
20 and for the races to be conducted at the State Fair as  
21 provided in subsection (j) 3 of this Section provided that  
22 the nominating, sustaining and starting payment required from  
23 an entrant shall not exceed 2% of the purse of such race.  
24 All nominating, sustaining and starting payments shall be  
25 held for the benefit of entrants and shall be paid out as  
26 part of the respective purses for such races. Nominating,  
27 sustaining and starting fees shall be held in trust accounts  
28 for the purposes as set forth in this Act and in accordance  
29 with Section 205-15 of the Department of Agriculture Law (20  
30 ILCS 205/205-15).

31 5. Provide for the registration with the Department of  
32 Agriculture of Colt Associations or county fairs desiring to  
33 sponsor races at county fairs.

34 (k) The Department of Agriculture, with the advice and

1 assistance of the Illinois Standardbred Breeders Fund  
2 Advisory Board, may allocate monies for purse supplements for  
3 such races. In determining whether to allocate money and the  
4 amount, the Department of Agriculture shall consider factors,  
5 including but not limited to, the amount of money  
6 appropriated for the Illinois Standardbred Breeders Fund  
7 program, the number of races that may occur, and an  
8 organizational licensee's purse structure. The  
9 organizational licensee shall notify the Department of  
10 Agriculture of the conditions and minimum purses for races  
11 limited to Illinois conceived and foaled horses to be  
12 conducted by each organizational licensee conducting a  
13 harness racing meeting for which purse supplements have been  
14 negotiated.

15 (l) All races held at county fairs and the State Fair  
16 which receive funds from the Illinois Standardbred Breeders  
17 Fund shall be conducted in accordance with the rules of the  
18 United States Trotting Association unless otherwise modified  
19 by the Department of Agriculture.

20 (m) At all standardbred race meetings held or conducted  
21 under authority of a license granted by the Board, and at all  
22 standardbred races held at county fairs which are approved by  
23 the Department of Agriculture or at the Illinois or DuQuoin  
24 State Fairs, no one shall jog, train, warm up or drive a  
25 standardbred horse unless he or she is wearing a protective  
26 safety helmet, with the chin strap fastened and in place,  
27 which meets the standards and requirements as set forth in  
28 the 1984 Standard for Protective Headgear for Use in Harness  
29 Racing and Other Equestrian Sports published by the Snell  
30 Memorial Foundation, or any standards and requirements for  
31 headgear the Illinois Gambling Racing Board may approve. Any  
32 other standards and requirements so approved by the Board  
33 shall equal or exceed those published by the Snell Memorial  
34 Foundation. Any equestrian helmet bearing the Snell label

1 shall be deemed to have met those standards and requirements.  
2 (Source: P.A. 91-239, eff. 1-1-00.)

3 (230 ILCS 5/54)

4 Sec. 54. Horse Racing Equity Fund.

5 (a) There is created in the State Treasury a Fund to be  
6 known as the Horse Racing Equity Fund. The Fund shall  
7 consist of moneys paid into it pursuant to subsection (c-5)  
8 of Section 13 of the Riverboat Gambling Act. The Fund shall  
9 be administered by the Illinois Gambling Racing Board.

10 (b) The moneys deposited into the Fund shall be  
11 distributed by the State Treasurer within 10 days after those  
12 moneys are deposited into the Fund as follows:

13 (1) Fifty percent of all moneys distributed under  
14 this subsection shall be distributed to organization  
15 licensees to be distributed at their race meetings as  
16 purses. Fifty-seven percent of the amount distributed  
17 under this paragraph (1) shall be distributed for  
18 thoroughbred race meetings and 43% shall be distributed  
19 for standardbred race meetings. Within each breed,  
20 moneys shall be allocated to each organization licensee's  
21 purse fund in accordance with the ratio between the  
22 purses generated for that breed by that licensee during  
23 the prior calendar year and the total purses generated  
24 throughout the State for that breed during the prior  
25 calendar year.

26 (2) The remaining 50% of the moneys distributed  
27 under this subsection (b) shall be distributed pro rata  
28 according to the aggregate proportion of state-wide  
29 handle at the racetrack, inter-track, and inter-track  
30 wagering locations that derive their licenses from a  
31 racetrack identified in this paragraph (2) for calendar  
32 years 1994, 1996, and 1997 to (i) any person (or its  
33 successors or assigns) who had operating control of a

1 racing facility at which live racing was conducted in  
2 calendar year 1997 and who has operating control of an  
3 organization licensee that conducted racing in calendar  
4 year 1997 and is a licensee in the current year, or (ii)  
5 any person (or its successors or assigns) who has  
6 operating control of a racing facility located in a  
7 county that is bounded by the Mississippi River that has  
8 a population of less than 150,000 according to the 1990  
9 decennial census and conducted an average of 60 days of  
10 racing per year between 1985 and 1993 and has been  
11 awarded an inter-track wagering license in the current  
12 year.

13 If any person identified in this paragraph (2)  
14 becomes ineligible to receive moneys from the Fund, such  
15 amount shall be redistributed among the remaining persons  
16 in proportion to their percentages otherwise calculated.

17 (Source: P.A. 91-40, eff. 6-25-99.)

18 Section 905. The Riverboat Gambling Act is amended by  
19 changing Sections 2, 4, 5, and 13 as follows:

20 (230 ILCS 10/2) (from Ch. 120, par. 2402)

21 Sec. 2. Legislative Intent.

22 (a) This Act is intended to benefit the people of the  
23 State of Illinois by assisting economic development and  
24 promoting Illinois tourism.

25 (b) While authorization of riverboat gambling will  
26 enhance investment, development and tourism in Illinois, it  
27 is recognized that it will do so successfully only if public  
28 confidence and trust in the credibility and integrity of the  
29 gambling operations and the regulatory process is maintained.  
30 Therefore, regulatory provisions of this Act are designed to  
31 strictly regulate the facilities, persons, associations and  
32 practices related to gambling operations pursuant to the

1 police powers of the State, including comprehensive law  
2 enforcement supervision.

3 (c) ~~The Illinois-Gaming Board established under this Act~~  
4 should, as soon as possible, inform each applicant for an  
5 owners license of the Board's intent to grant or deny a  
6 license.

7 (Source: P.A. 86-1029.)

8 (230 ILCS 10/4) (from Ch. 120, par. 2404)

9 Sec. 4. Definitions. As used in this Act:

10 (a) "Board" means the Illinois Gaming Board until the  
11 close of business on the effective date of this amendatory  
12 Act of the 91st General Assembly, and, beginning immediately  
13 after the close of business on the effective date of this  
14 amendatory Act, means the Illinois Gambling Board.

15 (b) "Occupational license" means a license issued by the  
16 Board to a person or entity to perform an occupation which  
17 the Board has identified as requiring a license to engage in  
18 riverboat gambling in Illinois.

19 (c) "Gambling game" includes, but is not limited to,  
20 baccarat, twenty-one, poker, craps, slot machine, video game  
21 of chance, roulette wheel, klondike table, punchboard, faro  
22 layout, keno layout, numbers ticket, push card, jar ticket,  
23 or pull tab which is authorized by the Board as a wagering  
24 device under this Act.

25 (d) "Riverboat" means a self-propelled excursion boat or  
26 a permanently moored barge on which lawful gambling is  
27 authorized and licensed as provided in this Act.

28 (e) (Blank).

29 (f) "Dock" means the location where a riverboat moors  
30 for the purpose of embarking passengers for and disembarking  
31 passengers from the riverboat.

32 (g) "Gross receipts" means the total amount of money  
33 exchanged for the purchase of chips, tokens or electronic

1 cards by riverboat patrons.

2 (h) "Adjusted gross receipts" means the gross receipts  
3 less winnings paid to wagerers.

4 (i) "Cheat" means to alter the selection of criteria  
5 which determine the result of a gambling game or the amount  
6 or frequency of payment in a gambling game.

7 (j) (Blank). "Department"---means--the--Department--of  
8 Revenue.

9 (k) "Gambling operation" means the conduct of authorized  
10 gambling games upon a riverboat.

11 (Source: P.A. 91-40, eff. 6-25-99.)

12 (230 ILCS 10/5) (from Ch. 120, par. 2405)

13 Sec. 5. Gaming Board.

14 (a) (1) The There--is--hereby--established--within--the  
15 Department-of-Revenue-an-Illinois-Gaming Board which shall  
16 have the powers and duties specified in this Act, and all  
17 other powers necessary and proper to fully and effectively  
18 execute this Act for the purpose of administering,  
19 regulating, and enforcing the system of riverboat gambling  
20 established by this Act. Its jurisdiction shall extend under  
21 this Act to every person, association, corporation,  
22 partnership and trust involved in riverboat gambling  
23 operations in the State of Illinois.

24 (2) (Blank). The-Board-shall-consist-of-5-members-to--be  
25 appointed--by-the-Governor-with-the-advice-and-consent-of-the  
26 Senate,--one-of-whom-shall-be-designated-by-the-Governor-to-be  
27 chairman.--Each-member-shall-have-a-reasonable--knowledge--of  
28 the--practice,--procedure--and--principles--of--gambling  
29 operations.--Each--member--shall--either--be--a--resident--of  
30 Illinois-or-shall-certify-that-he-will-become-a--resident--of  
31 Illinois--before--taking-office.-At-least-one-member-shall-be  
32 experienced-in-law-enforcement-and-criminal-investigation,--at  
33 least-one-member--shall--be--a--certified--public--accountant

1 experienced--in--accounting--and--auditing,--and-at-least-one  
2 member--shall--be--a--lawyer--licensed--to--practice--law--in  
3 Illinois.

4 (3) (Blank). The-terms-of-office-of--the--Board--members  
5 shall--be--3--years,--except--that-the-terms-of-office-of-the  
6 initial-Board-members-appointed-pursuant--to--this--Act--will  
7 commence--from--the--effective--date--of--this-Act-and-run-as  
8 follows:--one-for-a-term-ending-July-1,1991,2--for--a--term  
9 ending--July--1,--1992,--and-2-for-a-term-ending-July-1,1993.  
10 Upon-the-expiration-of-the-foregoing-terms,--the-successors-of  
11 such-members-shall-serve-a-term-for-3-years-and--until--their  
12 successors--are--appointed--and--qualified--for--like--terms.  
13 Vacancies-in-the-Board-shall-be-filled-for-the-unexpired-term  
14 in--like-manner-as-original-appointments.--Each-member-of-the  
15 Board-shall-be-eligible-for-reappointment-at--the--discretion  
16 of-the-Governor-with-the-advice-and-consent-of-the-Senate.

17 (4) (Blank). Each-member-of-the-Board-shall-receive-\$300  
18 for--each--day--the--Board--meets-and-for-each-day-the-member  
19 conducts-any-hearing-pursuant-to-this-Act,---Each--member--of  
20 the--Board--shall--also--be--reimbursed--for--all--actual-and  
21 necessary--expenses--and--disbursements---incurred---in---the  
22 execution-of-official-duties.

23 (5) (Blank). No--person--shall-be-appointed-a-member-of  
24 the-Board-or-continue-to-be-a-member-of-the-Board-who-is,--or  
25 whose--spouse,--child--or-parent-is,--a-member-of-the-board-of  
26 directors-of,--or-a-person--financially--interested--in,--any  
27 gambling-operation-subject-to-the-jurisdiction-of-this-Board,  
28 or--any--race--track,--race-meeting,--racing-association-or-the  
29 operations--thereof--subject--to--the--jurisdiction--of---the  
30 Illinois--Racing-Board.--No-Board-member-shall-hold-any-other  
31 public-office-for-which-he-shall-receive--compensation--other  
32 than--necessary--travel--or--other--incidental--expenses,--No  
33 person-shall-be-a-member-of-the-Board--who--is--not--of--good  
34 moral--character--or--who--has-been-convicted-of,--or-is-under

1 indictment for, a felony under the laws of Illinois or any  
2 other state, or the United States.

3 (6) (Blank). Any member of the Board may be removed by  
4 the Governor for neglect of duty, misfeasance, malfeasance,  
5 or nonfeasance in office.

6 (7) (Blank). Before entering upon the discharge of the  
7 duties of his office, each member of the Board shall take an  
8 oath that he will faithfully execute the duties of his office  
9 according to the laws of the State and the rules and  
10 regulations adopted therewith and shall give bond to the  
11 State of Illinois, approved by the Governor, in the sum of  
12 \$25,000. Every such bond, when duly executed and approved,  
13 shall be recorded in the office of the Secretary of State.  
14 Whenever the Governor determines that the bond of any member  
15 of the Board has become or is likely to become invalid or  
16 insufficient, he shall require such member forthwith to renew  
17 his bond, which is to be approved by the Governor. Any  
18 member of the Board who fails to take oath and give bond  
19 within 30 days from the date of his appointment, or who fails  
20 to renew his bond within 30 days after it is demanded by the  
21 Governor, shall be guilty of neglect of duty and may be  
22 removed by the Governor. The cost of any bond given by any  
23 member of the Board under this Section shall be taken to be a  
24 part of the necessary expenses of the Board.

25 (8) (Blank). Upon the request of the Board, the  
26 Department shall employ such personnel as may be necessary to  
27 carry out the functions of the Board. No person shall be  
28 employed to serve the Board who is, or whose spouse, parent  
29 or child is, an official of, or has a financial interest in  
30 or financial relation with, any operator engaged in gambling  
31 operations within this State or any organization engaged in  
32 conducting horse racing within this State. Any employee  
33 violating these prohibitions shall be subject to termination  
34 of employment.

1           (9) An Administrator shall perform any and all duties  
2 arising under this Act that the Board shall assign him. The  
3 salary of the Administrator shall be determined by the Board  
4 ~~and approved by the Director of the Department~~ and, in  
5 addition, he or she shall be reimbursed for all actual and  
6 necessary expenses incurred by him or her in discharge of his  
7 or her official duties. The Administrator shall keep records  
8 of all proceedings of the Board pursuant to this Act and  
9 shall preserve all records, books, documents, and other  
10 papers belonging to the Board or entrusted to its care that  
11 are required to be kept pursuant to this Act. The  
12 Administrator shall devote his full time to the duties of the  
13 office and shall not hold any other office or employment.

14           (b) The Board shall have general responsibility for the  
15 implementation of this Act. Its duties include, without  
16 limitation, the following:

17           (1) To decide promptly and in reasonable order all  
18 license applications. Any party aggrieved by an action of  
19 the Board denying, suspending, revoking, restricting or  
20 refusing to renew a license may request a hearing before  
21 the Board. A request for a hearing must be made to the  
22 Board in writing within 5 days after service of notice of  
23 the action of the Board. Notice of the action of the  
24 Board shall be served either by personal delivery or by  
25 certified mail, postage prepaid, to the aggrieved party.  
26 Notice served by certified mail shall be deemed complete  
27 on the business day following the date of such mailing.  
28 The Board shall conduct all requested hearings promptly  
29 and in reasonable order;

30           (2) To conduct all hearings pertaining to civil  
31 violations of this Act or rules and regulations  
32 promulgated hereunder;

33           (3) To promulgate such rules and regulations as in  
34 its judgment may be necessary to protect or enhance the

1 credibility and integrity of gambling operations  
2 authorized by this Act and the regulatory process  
3 hereunder;

4 (4) To provide for the establishment and collection  
5 of all license and registration fees and taxes imposed by  
6 this Act and the rules and regulations issued pursuant  
7 hereto. All such fees and taxes shall be deposited into  
8 the State Gaming Fund;

9 (5) To provide for the levy and collection of  
10 penalties and fines for the violation of provisions of  
11 this Act and the rules and regulations promulgated  
12 hereunder. All such fines and penalties shall be  
13 deposited into the Education Assistance Fund, created by  
14 Public Act 86-0018, of the State of Illinois;

15 (6) To be present through its inspectors and agents  
16 any time gambling operations are conducted on any  
17 riverboat for the purpose of certifying the revenue  
18 thereof, receiving complaints from the public, and  
19 conducting such other investigations into the conduct of  
20 the gambling games and the maintenance of the equipment  
21 as from time to time the Board may deem necessary and  
22 proper;

23 (7) To review and rule upon any complaint by a  
24 licensee regarding any investigative procedures of the  
25 State which are unnecessarily disruptive of gambling  
26 operations. The need to inspect and investigate shall be  
27 presumed at all times. The disruption of a licensee's  
28 operations shall be proved by clear and convincing  
29 evidence, and establish that: (A) the procedures had no  
30 reasonable law enforcement purposes, and (B) the  
31 procedures were so disruptive as to unreasonably inhibit  
32 gambling operations;

33 (8) (Blank); To hold--at--least--one--meeting--each  
34 quarter---of--the--fiscal--year.---In--addition,--special

1 meetings may be called by the Chairman or any 2 Board  
 2 members upon 72 hours written notice to each member. All  
 3 Board meetings shall be subject to the Open Meetings Act.  
 4 Three members of the Board shall constitute a quorum, and  
 5 3 votes shall be required for any final determination by  
 6 the Board. The Board shall keep a complete and accurate  
 7 record of all its meetings. A majority of the members of  
 8 the Board shall constitute a quorum for the transaction  
 9 of any business, for the performance of any duty, or for  
 10 the exercise of any power which this Act requires the  
 11 Board members to transact, perform or exercise en banc,  
 12 except that, upon order of the Board, one of the Board  
 13 members or an administrative law judge designated by the  
 14 Board may conduct any hearing provided for under this Act  
 15 or by Board rule and may recommend findings and decisions  
 16 to the Board. The Board member or administrative law  
 17 judge conducting such hearing shall have all powers and  
 18 rights granted to the Board in this Act. The record made  
 19 at the time of the hearing shall be reviewed by the  
 20 Board, or a majority thereof, and the findings and  
 21 decision of the majority of the Board shall constitute  
 22 the order of the Board in such case;

23 (9) To maintain records concerning matters it  
 24 regulates pursuant to this Act that which are separate  
 25 and distinct from the records of any other State board or  
 26 commission. Such records shall be available for public  
 27 inspection and shall accurately reflect all Board  
 28 proceedings;

29 (10) To file a written annual report concerning  
 30 matters it regulates pursuant to this Act with the  
 31 Governor on or before March 1 each year and such  
 32 additional reports as the Governor may request. The  
 33 annual report shall include a statement of receipts and  
 34 disbursements by the Board, actions taken by the Board,

1 and any additional information and recommendations which  
2 the Board may deem valuable or which the Governor may  
3 request;

4 (11) (Blank); and

5 (12) To assume responsibility for the  
6 administration and enforcement of the Bingo License and  
7 Tax Act, the Charitable Games Act, and the Pull Tabs and  
8 Jar Games Act if such responsibility is delegated to it  
9 by the Director of Revenue.

10 (c) The Board shall have jurisdiction over and shall  
11 supervise all gambling operations governed by this Act. The  
12 Board shall have all powers necessary and proper to fully and  
13 effectively execute the provisions of this Act, including,  
14 but not limited to, the following:

15 (1) To investigate applicants and determine the  
16 eligibility of applicants for licenses and to select  
17 among competing applicants the applicants which best  
18 serve the interests of the citizens of Illinois.

19 (2) To have jurisdiction and supervision over all  
20 riverboat gambling operations in this State and all  
21 persons on riverboats where gambling operations are  
22 conducted.

23 (3) To promulgate rules and regulations for the  
24 purpose of administering the provisions of this Act and  
25 to prescribe rules, regulations and conditions under  
26 which all riverboat gambling in the State shall be  
27 conducted. Such rules and regulations are to provide for  
28 the prevention of practices detrimental to the public  
29 interest and for the best interests of riverboat  
30 gambling, including rules and regulations regarding the  
31 inspection of such riverboats and the review of any  
32 permits or licenses necessary to operate a riverboat  
33 under any laws or regulations applicable to riverboats,  
34 and to impose penalties for violations thereof.

1           (4) To enter the office, riverboats, facilities, or  
2 other places of business of a licensee, where evidence of  
3 the compliance or noncompliance with the provisions of  
4 this Act is likely to be found.

5           (5) To investigate alleged violations of this Act  
6 or the rules of the Board and to take appropriate  
7 disciplinary action against a licensee or a holder of an  
8 occupational license for a violation, or institute  
9 appropriate legal action for enforcement, or both.

10          (6) To adopt standards for the licensing of all  
11 persons under this Act, as well as for electronic or  
12 mechanical gambling games, and to establish fees for such  
13 licenses.

14          (7) To adopt appropriate standards for all  
15 riverboats and facilities.

16          (8) To require that the records, including  
17 financial or other statements of any licensee under this  
18 Act, shall be kept in such manner as prescribed by the  
19 Board and that any such licensee involved in the  
20 ownership or management of gambling operations submit to  
21 the Board an annual balance sheet and profit and loss  
22 statement, list of the stockholders or other persons  
23 having a 1% or greater beneficial interest in the  
24 gambling activities of each licensee, and any other  
25 information the Board deems necessary in order to  
26 effectively administer this Act and all rules,  
27 regulations, orders and final decisions promulgated under  
28 this Act.

29          (9) To conduct hearings, issue subpoenas for the  
30 attendance of witnesses and subpoenas duces tecum for the  
31 production of books, records and other pertinent  
32 documents in accordance with the Illinois Administrative  
33 Procedure Act, and to administer oaths and affirmations  
34 to the witnesses, when, in the judgment of the Board, it

1 is necessary to administer or enforce this Act or the  
2 Board rules.

3 (10) To prescribe a form to be used by any licensee  
4 involved in the ownership or management of gambling  
5 operations as an application for employment for their  
6 employees.

7 (11) To revoke or suspend licenses, as the Board  
8 may see fit and in compliance with applicable laws of the  
9 State regarding administrative procedures, and to review  
10 applications for the renewal of licenses. The Board may  
11 suspend an owners license, without notice or hearing upon  
12 a determination that the safety or health of patrons or  
13 employees is jeopardized by continuing a riverboat's  
14 operation. The suspension may remain in effect until the  
15 Board determines that the cause for suspension has been  
16 abated. The Board may revoke the owners license upon a  
17 determination that the owner has not made satisfactory  
18 progress toward abating the hazard.

19 (12) To eject or exclude or authorize the ejection  
20 or exclusion of, any person from riverboat gambling  
21 facilities where such person is in violation of this Act,  
22 rules and regulations thereunder, or final orders of the  
23 Board, or where such person's conduct or reputation is  
24 such that his or her presence within the riverboat  
25 gambling facilities may, in the opinion of the Board,  
26 call into question the honesty and integrity of the  
27 gambling operations or interfere with orderly conduct  
28 thereof; provided that the propriety of such ejection or  
29 exclusion is subject to subsequent hearing by the Board.

30 (13) To require all licensees of gambling  
31 operations to utilize a cashless wagering system whereby  
32 all players' money is converted to tokens, electronic  
33 cards, or chips which shall be used only for wagering in  
34 the gambling establishment.

1           (14) (Blank).

2           (15) To suspend, revoke or restrict licenses, to  
3 require the removal of a licensee or an employee of a  
4 licensee for a violation of this Act or a Board rule or  
5 for engaging in a fraudulent practice, and to impose  
6 civil penalties of up to \$5,000 against individuals and  
7 up to \$10,000 or an amount equal to the daily gross  
8 receipts, whichever is larger, against licensees for each  
9 violation of any provision of the Act, any rules adopted  
10 by the Board, any order of the Board or any other action  
11 which, in the Board's discretion, is a detriment or  
12 impediment to riverboat gambling operations.

13           (16) To hire employees to gather information,  
14 conduct investigations and carry out any other tasks  
15 contemplated under this Act.

16           (17) To establish minimum levels of insurance to be  
17 maintained by licensees.

18           (18) To authorize a licensee to sell or serve  
19 alcoholic liquors, wine or beer as defined in the Liquor  
20 Control Act of 1934 on board a riverboat and to have  
21 exclusive authority to establish the hours for sale and  
22 consumption of alcoholic liquor on board a riverboat,  
23 notwithstanding any provision of the Liquor Control Act  
24 of 1934 or any local ordinance, and regardless of whether  
25 the riverboat makes excursions. The establishment of the  
26 hours for sale and consumption of alcoholic liquor on  
27 board a riverboat is an exclusive power and function of  
28 the State. A home rule unit may not establish the hours  
29 for sale and consumption of alcoholic liquor on board a  
30 riverboat. This amendatory Act of 1991 is a denial and  
31 limitation of home rule powers and functions under  
32 subsection (h) of Section 6 of Article VII of the  
33 Illinois Constitution.

34           (19) After consultation with the U.S. Army Corps of

1 Engineers, to establish binding emergency orders upon the  
2 concurrence of a majority of the members of the Board  
3 regarding the navigability of water, relative to  
4 excursions, in the event of extreme weather conditions,  
5 acts of God or other extreme circumstances.

6 (20) To delegate the execution of any of its powers  
7 under this Act for the purpose of administering and  
8 enforcing this Act and its rules and regulations  
9 hereunder.

10 (21) To take any other action as may be reasonable  
11 or appropriate to enforce this Act and rules and  
12 regulations hereunder.

13 (d) The Board may seek and shall receive the cooperation  
14 of the Department of State Police in conducting background  
15 investigations of applicants and in fulfilling its  
16 responsibilities under this Section. Costs incurred by the  
17 Department of State Police as a result of such cooperation  
18 shall be paid by the Board in conformance with the  
19 requirements of Section 2605-400 of the Department of State  
20 Police Law (20 ILCS 2605/2605-400).

21 (e) The Board must authorize to each investigator and to  
22 any other employee of the Board exercising the powers of a  
23 peace officer under this Act a distinct badge that, on its  
24 face, (i) clearly states that the badge is authorized by the  
25 Board and (ii) contains a unique identifying number. No  
26 other badge shall be authorized by the Board under this Act.

27 (Source: P.A. 91-40, eff. 1-1-00; 91-239, eff. 1-1-00;  
28 91-883, eff. 1-1-01.)

29 (230 ILCS 10/13) (from Ch. 120, par. 2413)

30 Sec. 13. Wagering tax; rate; distribution.

31 (a) Until January 1, 1998, a tax is imposed on the  
32 adjusted gross receipts received from gambling games  
33 authorized under this Act at the rate of 20%.

1           Beginning January 1, 1998, a privilege tax is imposed on  
 2 persons engaged in the business of conducting riverboat  
 3 gambling operations, based on the adjusted gross receipts  
 4 received by a licensed owner from gambling games authorized  
 5 under this Act at the following rates:

6           15% of annual adjusted gross receipts up to and  
 7 including \$25,000,000;

8           20% of annual adjusted gross receipts in excess of  
 9 \$25,000,000 but not exceeding \$50,000,000;

10          25% of annual adjusted gross receipts in excess of  
 11 \$50,000,000 but not exceeding \$75,000,000;

12          30% of annual adjusted gross receipts in excess of  
 13 \$75,000,000 but not exceeding \$100,000,000;

14          35% of annual adjusted gross receipts in excess of  
 15 \$100,000,000.

16          The taxes imposed by this Section shall be paid by the  
 17 licensed owner to the Board not later than 3:00 o'clock p.m.  
 18 of the day after the day when the wagers were made.

19          (b) Until January 1, 1998, 25% of the tax revenue  
 20 deposited in the State Gaming Fund under this Section shall  
 21 be paid, subject to appropriation by the General Assembly, to  
 22 the unit of local government which is designated as the home  
 23 dock of the riverboat. Beginning January 1, 1998, from the  
 24 tax revenue deposited in the State Gaming Fund under this  
 25 Section, an amount equal to 5% of adjusted gross receipts  
 26 generated by a riverboat shall be paid monthly, subject to  
 27 appropriation by the General Assembly, to the unit of local  
 28 government that is designated as the home dock of the  
 29 riverboat.

30          (c) Appropriations, as approved by the General Assembly,  
 31 may be made from the State Gaming Fund to the Board  
 32 ~~Department--of-Revenue~~ and the Department of State Police for  
 33 the administration and enforcement of this Act.

34          (c-5) After the payments required under subsections (b)

1 and (c) have been made, an amount equal to 15% of the  
2 adjusted gross receipts of a riverboat (1) that relocates  
3 pursuant to Section 11.2, or (2) for which an owners license  
4 is initially issued after the effective date of this  
5 amendatory Act of 1999, whichever comes first, shall be paid  
6 from the State Gaming Fund into the Horse Racing Equity Fund.

7 (c-10) Each year the General Assembly shall appropriate  
8 from the General Revenue Fund to the Education Assistance  
9 Fund an amount equal to the amount paid into the Horse Racing  
10 Equity Fund pursuant to subsection (c-5) in the prior  
11 calendar year.

12 (c-15) After the payments required under subsections  
13 (b), (c), and (c-5) have been made, an amount equal to 2% of  
14 the adjusted gross receipts of a riverboat (1) that relocates  
15 pursuant to Section 11.2, or (2) for which an owners license  
16 is initially issued after the effective date of this  
17 amendatory Act of 1999, whichever comes first, shall be paid,  
18 subject to appropriation from the General Assembly, from the  
19 State Gaming Fund to each home rule county with a population  
20 of over 3,000,000 inhabitants for the purpose of enhancing  
21 the county's criminal justice system.

22 (c-20) Each year the General Assembly shall appropriate  
23 from the General Revenue Fund to the Education Assistance  
24 Fund an amount equal to the amount paid to each home rule  
25 county with a population of over 3,000,000 inhabitants  
26 pursuant to subsection (c-15) in the prior calendar year.

27 (c-25) After the payments required under subsections  
28 (b), (c), (c-5) and (c-15) have been made, an amount equal to  
29 2% of the adjusted gross receipts of a riverboat (1) that  
30 relocates pursuant to Section 11.2, or (2) for which an  
31 owners license is initially issued after the effective date  
32 of this amendatory Act of 1999, whichever comes first, shall  
33 be paid from the State Gaming Fund into the State  
34 Universities Athletic Capital Improvement Fund.

1 (d) From time to time, the Board shall transfer the  
2 remainder of the funds generated by this Act into the  
3 Education Assistance Fund, created by Public Act 86-0018, of  
4 the State of Illinois.

5 (e) Nothing in this Act shall prohibit the unit of local  
6 government designated as the home dock of the riverboat from  
7 entering into agreements with other units of local government  
8 in this State or in other states to share its portion of the  
9 tax revenue.

10 (f) To the extent practicable, the Board shall  
11 administer and collect the wagering taxes imposed by this  
12 Section in a manner consistent with the provisions of  
13 Sections 4, 5, 5a, 5b, 5c, 5d, 5e, 5f, 5g, 5i, 5j, 6, 6a, 6b,  
14 6c, 8, 9, and 10 of the Retailers' Occupation Tax Act and  
15 Section 3-7 of the Uniform Penalty and Interest Act.

16 (Source: P.A. 90-548, eff. 12-4-97; 91-40, eff. 6-25-99.)

17 Section 910. The Liquor Control Act of 1934 is amended  
18 by changing Section 6-30 as follows:

19 (235 ILCS 5/6-30) (from Ch. 43, par. 144f)

20 Sec. 6-30. Notwithstanding any other provision of this  
21 Act, the Illinois Gambling Gaming Board shall have exclusive  
22 authority to establish the hours for sale and consumption of  
23 alcoholic liquor on board a riverboat during riverboat  
24 gambling excursions conducted in accordance with the  
25 Riverboat Gambling Act.

26 (Source: P.A. 87-826.)

27 Section 915. The Illinois Equine Infectious Anemia  
28 Control Act is amended by changing Section 5 as follows:

29 (510 ILCS 65/5) (from Ch. 8, par. 955)

30 Sec. 5. Quarantine and branding of reactors. In the

1 event an Illinois owner voluntarily elects to have his  
 2 equidae tested and a reactor is found, the reactor shall be  
 3 (a) quarantined until death or until released by a written  
 4 notice from the Department and (b) permanently identified  
 5 with a freezemarking brand which shall be applied by an  
 6 employee of the Department, a veterinarian in the employ of  
 7 the Illinois Gambling Racing Board, or an employee of the  
 8 Animal and Plant Health Inspection Service of the United  
 9 States Department of Agriculture or any successor agency.  
 10 The freezemarking brand shall be not less than 2 inches in  
 11 height, shall be applied to the left side of the neck of the  
 12 reactor, and the identifying mark shall be "33" followed by  
 13 the letter "A" and a number designated by the Department to  
 14 indicate individual identification.

15 Any animal under 12 months of age which reacts positively  
 16 to an official test for EIA shall be quarantined and retested  
 17 at 12 months of age. If positive at that time, it shall be  
 18 subject to permanent identification as a reactor and continue  
 19 under quarantine. Foals being nursed by reactor dams shall  
 20 be quarantined until they are weaned from their dams and have  
 21 a negative official test for EIA not less than 60 days  
 22 following their weaning.

23 (Source: P.A. 86-223.)

24 (230 ILCS 5/2 rep.)

25 (230 ILCS 5/3.18 rep.)

26 (230 ILCS 5/4 rep.)

27 (230 ILCS 5/5 rep.)

28 (230 ILCS 5/6 rep.)

29 (230 ILCS 5/7 rep.)

30 (230 ILCS 5/8 rep.)

31 (230 ILCS 5/10 rep.)

32 (230 ILCS 5/12 rep.)

33 (230 ILCS 5/13 rep.)

1 (230 ILCS 5/14 rep.)

2 (230 ILCS 5/14a rep.)

3 Section 950. The Illinois Horse Racing Act of 1975 is  
4 amended by repealing Sections 2, 3.18, 4, 5, 6, 7, 8, 10, 12,  
5 13, 14, and 14a.

6 Section 999. Effective date. This Act takes effect upon  
7 becoming law.

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Statutes amended in order of appearance

- 30 ILCS 105/6b-2 from Ch. 127, par. 142b2
- 30 ILCS 120/18 from Ch. 85, par. 668
- 70 ILCS 1825/5.1 from Ch. 19, par. 255.1
- 230 ILCS 5/3.01 from Ch. 8, par. 37-3.01
- 230 ILCS 5/3.18 from Ch. 8, par. 37-3.18
- 230 ILCS 5/9 from Ch. 8, par. 37-9
- 230 ILCS 5/15.3 from Ch. 8, par. 37-15.3
- 230 ILCS 5/18 from Ch. 8, par. 37-18
- 230 ILCS 5/20 from Ch. 8, par. 37-20
- 230 ILCS 5/26 from Ch. 8, par. 37-26
- 230 ILCS 5/28.1
- 230 ILCS 5/30 from Ch. 8, par. 37-30
- 230 ILCS 5/30.5
- 230 ILCS 5/31 from Ch. 8, par. 37-31
- 230 ILCS 5/54
- 230 ILCS 10/2 from Ch. 120, par. 2402
- 230 ILCS 10/4 from Ch. 120, par. 2404
- 230 ILCS 10/5 from Ch. 120, par. 2405
- 230 ILCS 10/13 from Ch. 120, par. 2413
- 235 ILCS 5/6-30 from Ch. 43, par. 144f
- 510 ILCS 65/5 from Ch. 8, par. 955
- 230 ILCS 5/2 rep.
- 230 ILCS 5/3.18 rep.
- 230 ILCS 5/4 rep.
- 230 ILCS 5/5 rep.
- 230 ILCS 5/6 rep.
- 230 ILCS 5/7 rep.
- 230 ILCS 5/8 rep.
- 230 ILCS 5/10 rep.
- 230 ILCS 5/12 rep.
- 230 ILCS 5/13 rep.
- 230 ILCS 5/14 rep.

1 230 ILCS 5/14a rep.